

**City Council**  
Mayor Diana Gardner Rich  
Vice Mayor Stephen Zollman  
Neysa Hinton  
Sandra Maurer  
Jill McLewis



**Agenda Item Number: 1**

**City Manager**  
Don Schwartz  
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## City of Sebastopol

### CITY COUNCIL MINUTES

MINUTES FOR Regular City Council Meeting of December 5, 2023

As Approved by the City Council at their regular meeting of January 16, 2024

Please note that minutes of meetings are not meant to be verbatim minutes and are meant to be the City's record of a summary of actions that took place at the meeting. The vote/action is the required information of the meeting actions that took place. Approved minutes are available on the City Council Meetings page.

Meeting was held in Person and Virtual /Remote Participation. Zoom Link used for providing public comment/Live Stream is utilized for viewing only of Meeting.

The public is advised that pursuant to Government Code section 54957.5 all writings submitted to the City and City Council are public records and will be made available for review.

6:00 pm City Council Regular Meeting

Call to Order: Mayor Hinton called the Regular Meeting to Order at 6:10 p.m.

Roll Call:

Present: Mayor Neysa Hinton  
Vice Mayor Diana Gardner Rich  
Councilmember Sandra Maurer  
Councilmember Jill McLewis  
Councilmember Stephen Zollman

Absent: None

Staff: City Manager/City Attorney Larry McLaughlin  
Assistant City Manager/City Clerk Mary Gourley  
Administrative Services Director Ana Kwong  
City Engineer Mario Landeros/Toni Bertolero (GHD)  
Planning Director Kari Svanstrom  
Police Chief Ron Nelson  
Public Works Superintendent Dante Del Prete

**STATEMENTS OF ABSTENTION BY COUNCIL MEMBERS** (Use of Online Attendance/zoom/):

AB 2449: Just Cause: Councilmember McLewis requested use of Just Cause AB 2449 due to illness and publicly disclosed at the meeting before any action is taken, that there were no other individuals 18 years of age or older present in the room at the remote location with the member.

**SALUTE TO THE FLAG:** Mayor Hinton led the salute to the flag.

**PROCLAMATIONS/PRESENTATIONS:**

The following was presented:

Years of Service Award Andrew Cerini – 10 years – Public Works

**Reference Order Number:** 2023-264

**STATEMENTS OF CONFLICTS OF INTEREST:** Conflicts of interest may arise in situations where a public official deliberating towards a decision, has an actual or potential financial interest in the matter before the Council. In accordance with state law, an actual conflict of interest is one that would be to the private financial benefit of a public official, a relative or a business with which the Councilmember is associated. A potential conflict of interest is one that could be to the private financial benefit of a Councilmember, a relative or a business with which the Councilmember is associated. A Councilmember must publicly announce potential and actual conflicts of interest, and, in the case of actual conflict of interest, must refrain from participating in debate on the issue or from voting on the issue and must remove themselves from the dais.

There were no stated conflicts of interest.

**PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA (FIRST COMMENT PERIOD):**

Up to Twenty (20) Minute Time Limit (Two Minutes for up to ten speakers). Additional public comment will be held at the end of the discussion and action items for up to an additional twenty (20) minutes. Mayor has discretion to allow for additional time beyond the 20 minutes allocated for public comment dependent upon the subject matter or number of speakers.

Process for calling on Speakers: Mayor or designee shall ask for public comment as follows: Speakers to be called on in an alternate manner (One speaker in person to be called on first; then one speaker remote to be called on second with additional speakers to be called on in the same manner) based upon the time limit.

Arthur commented as follows: Moving into winter, two problems face the City and the unhoused, the absence of winter warming centers and the likely closure of the Horizon Shine RV village. My question to the Council is, what is being done to prepare for these events? The County civil grand jury, last winter, made a formal report stating that providing warming centers is not just a City problem, but a County government problem, and criticized the lack of any County plan, resulting in little coordination of services and account ability. I am providing you with the relevant portion of that report. They concluded that health risks during severe cold weather make protecting the unhoused a high priority for the County, and key to that are warming centers. There are still few warming centers and no assistance for Sebastopol. In June, the Supervisor stated that County staff were coordinating to ensure centers could be open quickly when needed. Entities were directed to contact the department of emergency management. Training and support and financial assistance would be available. I'm providing you with copies of that statement as well. However, that process never materialized with no support, and no one has a plan for the County or Sebastopol. Locally, outreach coordinator Maria Rico provides a host of services, stated in her letter. I'm giving you a copy of that as well, but warming centers are beyond what she provides. Our library is a warm daytime alternative, and as Councilmember Zollman has stated, there is a civil law enforcement alternative to more policing. The question remains, what happens on those strings of cold nights? Next, the Horizon Shine RV village, which was key to the clearance of Morris Street has a moveout date of February 28, must vacate no later than March 3rd so that St. Vincent de Paul can begin its affordable housing project. Are those villagers to return to Morris Street? Where? This population has stabilized. Many of their problems remain. We have a repeat of turmoil. Can the County, staff, or higher levels of government be relied upon to provide actual assistance? We await these answers.

Linda commented as follows: Good luck with getting any kind of an answer out of the City Council or leaders, because it just doesn't happen. They don't listen. They don't care. Anyway, that said, thank you, Arthur, for what you do. Regarding the most recent front-page story, November 27, concerning the letter from former interim fire chief to the City Council, requesting more funding for our fine example of a fire department, I'd like to say that I find it inexcusable that the Mayor and the Vice Mayor have failed to listen and hear from the members of this volunteer fire department, and all the rest of us, for that matter, too, who have been speaking up for years on various issues. These two people have demonstrated time and time again their ignorance and arrogance, following in the footsteps of the former Mayor, who pretty much destroyed the progress that the City has made, and has achieved with previous Council members. You two are an embarrassment, and again, I'm requesting that you both resign, or at least, we cannot afford to have this kind of failed leadership, so we need to have some

people who listen to us and hear us and act. It is just unbelievable that you did not respond to a front-page story, of any kind. Even the initial letter, which was dated November 1st.

Vice Mayor Rich responded to comments as follows: Warming centers, I have been in communication as the Council appointed liaison to service providers with County representatives. Those conversations are ongoing. I also had a great, very productive meeting with our new interim fire chief. The backup plan is that the Community Center has offered their space as available for warming centers and will make their staff available to act in the supervisory role. Our wonderful West County Community Services outreach worker, Rico, will provide training for the volunteers, and then, we also have just an incredible cohort of volunteers, who will help staff the warming centers. Our interim fire chief is in conversation with the department of emergency management in order to firm up whether there is additional funding or coordination that might come through those sources, and he also has indicated that he will track the indicators for extreme weather events. I think we are good there. He and I will be coordinating. Linda Hopkins is in support. There is movement forward and we do have a plan that we could implement, if need be, honestly, tomorrow. In terms of Horizon Shine yes, February 28th is the moveout date, and I'm pleased to report that the County IDMT, which I've heard incredible reports about is now partnering with SAVS and is going to be on site at Horizon Shine to help with relocation efforts. They have been very instrumental and very effective, so we appreciate the County support there. I did hear from ED Adrian Bromley today that so far, of the 23 who are on site at Horizon Shine, there have been initial meetings, and in some cases, more, with 20 of those individuals in order to place them. That is all good news and I think we are good there too.

#### **CITY COUNCIL REORGANIZATION/ELECTION OF MAYOR AND VICE MAYOR/MAYOR PRO TEMPORE**

Each year the City Council conducts a reorganization by selecting from among its members a Mayor and Mayor Pro Tempore (Vice Mayor) to serve for the upcoming year. The Mayor presides at City Council meetings and serves as the official head of the City for ceremonial purposes. The Mayor Pro Tempore (Vice Mayor) performs the duties of the Mayor during the Mayor's absence or disability. This reorganization usually takes place at the first regular meeting in December or upon certification of the Election if it is an election year.

##### **1. Message from Outgoing Mayor (Mayor Neysa Hinton)**

Mayor Hinton read a prepared statement. Year in review: First let me say I was deeply honored to represent the City this past year as the Mayor. As always, there is much work to be done and there is still much more to do. The first-order business in 2023 was welcoming our three new Councilmembers, which I believe was the biggest rotation in City Council changing of the guard in over a decade. I appreciate the newest members putting their trust in me to serve as the Mayor this past year. Each election puts five people together that may have never even met, if it were not for our shared interest in civic duty. I feel very honored to serve with my colleagues. I felt we rolled quickly into working as a team, while keeping the best interests of the City and community first and foremost at all times. I respect people who take the step to run for office, and to serve the people in an elected role. It is a lot of work. We run, believing we understand the role, but once in it, like any new job, it can be a bit different than expected, and there is always a lot to learn. As I reflect on our time spent just in Council meetings, which is over 100 hours each year, in addition to our special meetings and our boards and committees, sometimes, I feel like we forget that we serve more than just the people who attend our Council meetings regularly. There are approximately 7500 people who live within our borders, and we represent all of them. This is important as we pass policies to guide our community. I do my homework on issues, vote using my life experience and knowledge, and ultimately, rely on my heart, always trying to do what is best for this community. I feel I would be remiss tonight if I didn't take this opportunity to address a few recent events. As many of you may know, I spent a 25-year career in radio and the newspaper business. I started out as a radio announcer reporting news. With that said, I know from experience that what you read in the newspapers or hear on air is only part of the story. The short very delivered story or sound bite on radio or tv. The most recent topic, our fire department,

has been front page news recently. I feel I must defend this Council and all the actions we have taken since I served on the original fire subcommittee in 2017 to solve issues and get the best fire services for our community. My recent comments on the subject do not represent the full Council. They were mine alone. Some have described them as critical, but I can assure you they were not personal but said to explain more of the story related to job performance. With that said, I continue to pledge my commitment and support to help reach the best long-term solution for fire services for our City. This is a priority of mine and I plan to continue to use my historical knowledge and the last six years of studying this issue with guidance from professionals in the fire service to find solutions. This year, after five years on the City's budget subcommittee, I handed over the reins to two others. The City recently passed a fiscal emergency, and I supported that recommendation and voted for the proclamation. Again, this was not a hasty move. As in prior year report outs, the budget subcommittee talked about a structural deficit in the budget and cautioned about one-time unanticipated money appearing to amass the bottom line of the City budget, resulting in a false sense of security. I believe in watching our spending and our bottom line to ensure physical security. That includes the need to pay for infrastructure and to continue paying down our long-term liability. I believe we need to ensure we have money for the future in a savings account for a rainy day. And, I trust the recommendations by the people doing the work, that are closest to the situation, which was our hard-working budget subcommittee, who made deep cuts to our 2023-2024 budget and spent a record-setting more than 40+ hours in budget meetings reviewing City finances to create the 2023-2024 budget. Solving our biggest challenges will continue to be something we will work on, and I pledged to keep an open mind and continue working towards coming up with long-term solutions for our City, and I thank the budget subcommittee for all of their work and time on that project. While we continue to work on this, the work is never done. To recap other achievements in 2023, as we know, Sebastopol has aging infrastructure, and not great roads. This year, we did secure \$5 million in federal funding to address repairs, including a go send him a grant of \$2.4 million for Bodega Avenue phase two. That is almost half of our annual budget, so that is a big ramp for us. In addition, we sustained a sustainable transportation grant for our main street highway to review and consider a redesign. It is interesting to me to think about what our downtown might look like in the future. The Council also passed a mobile home rate stabilization ordinance amendment in response to our seniors in the Sebastopol community, who live in mobile homes to control their rent increases. These are for some of our most vulnerable community members, who live on a fixed income. Lastly, much of the year was devoted to department head retiree replacements or interim positions. The Council supported having a police chief, Ron Nelson, police captain, James Hickey, and a fire engineer, Eric Smith. In addition to our new City Manager, Don Schwartz, who is said to take the reins in January. We've had our interim fire chief for most of this year, until early November, and I thank him for his service during that period. An experienced replacement was found upon Jack's departure. Bruce Martin is sitting with us tonight, and he is on the job and moving forward. And, last but not least, the people who work for the City, who make the difference every day, are the ones truly doing the work. We get to sit up here and have our titles and show up like we are doing the work. We are really not doing the work. The City staff, who guide us with the recommendations, and there are approximately 50 City staff that work to make the City what it is each and every day. We would not have this wonderful community we call home if not for them. Thank you all for the wonderful year, and with that, thanks. Sorry, I always get choked up in those moments.

Reference Order Number: 2023-265

## 2. ELECTION OF MAYOR:

Election of Mayor (Current Mayor will call for nominations for the Office of Mayor) To make a nomination, Councilmembers need only state "I nominate \_\_\_\_\_". Nominations do not require seconds at this time. When there are no more nominations, current Mayor will declare nominations for the position of Mayor closed and conduct the following procedures:

- a) Announcement of Nominations Received

1. Mayor Hinton nominated Diana Rich for Mayor
  2. Councilmember McLewis nominated Stephen Zollman for Mayor
- b) Public Comment
  - c) Council Comments (if any)
  - d) Vote: (taken beginning with the first nominee): Nomination requires a second for voting. If first nominee motion fails; the second nominee will be voted on; this will occur until such time that there a motion is approved
  - e) Gavel is transferred to Mayor

**Public Comment:**

Linda commented as follows: The issues that we've had, we cannot continue to have this kind of nonresponsive, blind, essentially, nonresponsive to us, the public, who routinely speak here. Kyle, Kate, everybody else, the fire department, the police department, we cannot have the person who bullied our very talented police chief, Kevin Kilgore, leaving a position of leadership in this town. Not only that, but like I said, the other day, everything she touches does not come out really well. That includes the RV village over here, where she was supposed to be the liaison, and I doubt that she met any of these people. They are my neighbors. I am privy to the crime and the substance abuse, the drugs, the alcohol, the theft and everything. This was a failed experiment. I'm not all supportive of her continuing to be in a position of leadership. So, anyway, I'm open to any of the three people, Sandi or Jill were not nominated. I guess I would go with Zollman, although I'm not really enthusiastic about that either, because he seems to be following in the footsteps. Anyway, you get the gist. Anything other than Diane.

**Council Comments:**

Councilmember Zollman commented as follows: Thank you, madame Mayor, and thank you Councilmember McLewis for the nod for Mayor, and I am respectfully decline the nomination because I will wholeheartedly support our Vice Mayor for Mayor, and I can state more whenever that's appropriate.

Councilmember Maurer commented as follows: Diane and I have had our differences, especially before coming to Council, but this past year, we have worked together on several issues, and I have a lot of respect for her. Admiration for her. She has been really great to work with, and so I will support her nomination for Mayor.

Vice Mayor Rich commented as follows: I'm tearing up too now. I love this City Council, and I would be happy to lead it into this next year and would be happy to accept the nomination. I think it is an incredible group of five people, and to have the foundation that has been established by our Mayor here, what an incredible summary and presentation she gave us, and to be part of the changes that we see coming up here, I feel like I've had incredible training being the Vice Mayor. Thank you, Mayor Hinton. I also feel that it's an opportunity to take the various skills that the City has allowed me to develop in the last four years and before that, when I was with the community center. It would be an honor. I would be very pleased to work with this amazing staff and this City Council and see it through this next year and be a partner in that effort.

Mayor Hinton commented as follows: For my part, I was honored to be able to nominate you. We have worked together very closely this last year, and I definitely think if there was any doubt, you have shown us that you will lead us with grace and brilliance.

**MOTION:**

Mayor Hinton moved and Councilmember Maurer seconded the motion to appoint Diana Rich as Mayor.

Mayor Rich called for a roll call vote. City staff conducted a roll call vote.

**VOTE:**

Ayes: Councilmembers Hinton, Maurer, Zollman and Rich

Noes: Councilmember McLewis

Absent: None

Abstain: None

**City Council Action: Appointed Diana Rich as Mayor for 2024.**

**Minute Order Number: 2023-266**

Mayor Rich commented as follows: I'm pleased to be taking on the obligation of Mayor.

**3. ELECTION OF VICE MAYOR:**

Election of Vice Mayor (Mayor will call for nominations for the Office of Vice Mayor) To make a nomination, Councilmembers need only state "I nominate \_\_\_\_\_". Nominations do not require seconds at this time. When there are no more nominations, Mayor will declare nominations for the position of Vice Mayor closed and conduct the following procedures:

- a) Announcement of Nominations Received
- b) Public Comment
- c) Council Comments (if any)
- d) Vote: (taken beginning with the first nominee): Nomination requires a second for voting. If first nominee motion fails; the second nominee will be voted on; this will occur until such time that there a motion is approved

Mayor Rich commented as follows: I'm going to go ahead and lead it off, and I am quite pleased to hear that Jill McLewis was naming Stephen Zollman as a possible Mayor, because he is my nominee for Vice Mayor this year. I think he would be excellent. I have worked very closely with him over the last year on the budget committee. He definitely has all of the aspects of leadership, ethics, leadership, honesty, and it benefits us, because he brings to us his regional connections and his interest in a variety of subject matter areas. It has been really impressive, so that is my nomination for Vice Mayor, Councilmember Stephen Zollman, and I asked my peers, my colleagues for any additional nominations that they might have for Vice Mayor.

Councilmember McLewis nominated Councilmember Maurer. I truly believe that while I know you and Councilmember Zollman, have worked very closely together, I think it's also important for us to have leadership or we have different schools of thought, and I just think that Councilmember Maurer is just as diligent, and I really think she would do an excellent job as Vice Mayor, so that is my nomination.

Public Comment:

A member of the public commented as follows: I want to go with the Vice Mayor, the one that Councilmember McLewis went with. There has to be some balance to these boomer narcissists in the area, giving away the town to the bums and drug addicts. This town is going down the toilet and we need an adult in the room, not some smart sniffing old lady boomer like this Rich lady.

William commented as follows: I actually disagree with what the woman just said. The guy who just spoke, I agree with him. I'm tired of boomers ruining this country, and I just want somebody that is not a boomer.

Amir commented as follows: I would like to second Councilmember McLewis suggestion for Vice Mayor, as long as the candidate is willing to denounce the anti-defamation league and label it what it is, a hate speech

organization.

Linda commented as follows: We've got some very colorful comments, and generally, I'm in agreement with the first one, and the most recent one too. I'm also supportive of having Sandi Maurer as Vice Mayor and thanked Councilmember McLewis for nominating her and stated Councilmember McLewis is doing great. You are showing a good, healthy independent streak. Blessings on you. The rest of them ought to learn from you. I've known Sandi for about 13 years, since we both became active in the emf organization. We need more independence, and I'm sorry to say I have not seen independent thinking. I have not seen that from Zollman, I'm sorry to say. He seems to be cut out of the same cloth. The same as the two I mentioned, the former Mayor and former Vice Mayor, who I asked to resign, time and time again. You are flushing this town down the toilet. They have not addressed the \$5 million. They are totally unaware that she approved it, and there's a lot more. There is no oversight into what is going on in this town. Anyway, Sandi for Vice Mayor.

A member of the audience commented as follows: I have something entirely different to speak about today, and then, I heard you say that you were speaking over somebody in an attempt to drown out what they were saying, and I would like to caution you, because there has been City Councils who have been sued for not allowing people to speak. I'm not telling you what to do or not to do, this is America, and I do believe everyone has a right to express themselves, even yourself. But I would like to caution you, censoring people, I understand if they have profanity in their language, but time and time again, supreme court justices have ruled in favor of free speech. In fact, even on hate speech, they have ruled in favor of allowing it. In fact, actually, one of my favorite quotes comes from justice Samuel Alito. He said that speech that demeans on the basis of race, ethnicity, gender, religion, disability or any other similar ground is hateful, but it is the proudest boast of our free speech. Jurisprudence is that we protect the freedom of thought that we hate, and I understand it might be hard to listen to them, but since you serve the community, I find that you have to listen to the community to do so. Because our concerns are your job to address.

Tony commented as follows: I have been a long time resident of Sebastopol and the surrounding area, and I just love the whole vibe of the community, but I see it being overran and I hear the public comments of the people who live around me, and I talked to so many people, and they all want to know, why is this happening here? Why is this happening to us? I can only point in one direction, and that is that the corruption and the inability for people to be held accountable, all ties back to a lot of people being fronts for a large group of very, very highly connected, powerful individuals, that are masked, and we are not allowed to talk about it. We are not allowed to speak about them. We are getting sick of it! I sponsor truth as Mayor of Sebastopol.

George commented as follows: I just wanted to weigh in and support Jill McLewis in her nomination of Sandra Maurer for Vice Mayor, and I would do so, simply in the interest of balance. I think that Mayor Rich and Stephen Zollman are very much aligned in their approach to City governance, I think that Sandra would add a bit of a counterpoint to that, which I think would be valuable for everybody involved.

M Kelly commented as follows: All these folks that are making these terrible racist comments, please go find something else to do. We really have some work to do in the City.

Council comments:

Mayor Rich commented as follows: Thank you everyone for your patience, dedication, and your majority effort at civility. That is what shines through to me in this town, and that's what we hear all the time. These few exceptions are troubling, but they reinforce what a sense of respect we generally have within this little town of 7500 people, so thank you to everyone for that. We are now back at the dais to talk about the Vice Mayor election. We have two nominations. I would like to briefly respond, in general, to recognize the incredible, diverse opinions and

perspectives that we have on the City Council, and also to recognize and make sure everyone's aware of the fact that each of us have indicated in our own ways that we are independent thinkers, and that there are none of us aligned consistently on any specific vote. We are very different people.

Councilmember Hinton commented as follows: I respect Stephen on many fronts. I support his nomination tonight and I would appreciate him in the role of Vice Mayor.

Councilmember Maurer commented as follows: That whole experience with the zoom comments was quite painful to hear, and it's sad, because we want our residents to be able to participate online. It's more convenient for them. They don't have to come down here, they can hear what's going on, but to have people come in and zoom bomb it. To me, those were zoom bombings. To have it associated with my nomination is a little shocking. It's just really upsetting. I think Stephen will do a great job. I appreciate Jill's trust, and her nomination of me, but I'm going to decline. I'm actually not really ready to do the Vice Mayor position. I've given this some thought. I thought it would be really fun to work with Diana this next year if I was Vice Mayor, but I will decline and I will be supporting Stephen. I think he will do a great job. He's very committed.

Councilmember Zollman commented as follows: I'm truly humbled by even being able to get to this situation, and yes, my overall commitment is to continue working with my colleagues here to continue to address the issues that we have. And what I can bring in, as already stated, is state experience with the Cal cities. I have served on revenue and taxation; the policy committee is scheduled to start on a public safety committee. Outside the region is the alternate position, so I've had a chance to meet various other elected, in my experience, I'm just grateful for the nomination, to be able to sit on various boards with my elected here in Sonoma County, so my overall goal is to work with everybody, continue to respect everybody, and as everyone said, we are all in this to support the City, so thank you.

**MOTION:**

Mayor Rich moved and Councilmember Hinton seconded the motion to appoint Stephen Zollman as Vice Mayor.

Mayor Rich called for a roll call vote. City staff conducted a roll call vote.

**VOTE:**

Ayes: Councilmembers Hinton, Maurer, Zollman and Mayor Rich

Noes: Councilmember McLewis

Absent: None

Abstain: None

**City Council Action: Appointed Stephen Zollman as Vice Mayor for 2024.**

**Minute Order Number: 2023-267**

4. Message from Incoming Mayor

Mayor Rich commented as follows: Thank you, Mayor Hinton for everything you did for us this year. It was a tough year, and Mayor Hinton was gracious and evenhanded, and demonstrated, I thought, an incredible ability to allow each of us to have a voice, equally, on the City Council, and I particularly admired the fact that she would wait until the very end to make her own comments, which must've been very difficult. I will just very briefly say thank you for electing me as Mayor of the City Council. I have such incredible respect for every single one of you. Stephen Zollman will be a wonderful Vice Mayor. Sandra Maurer, what an incredible contributor to the City Council. Jill McLewis, another wonderful, different voice for us, and Neysa Hinton, who will continue to be her very separate voice. I think one of the things that I celebrate on this City Council is that we, in fact, all have very different voices, and we are all doing the best thing we can for the community, and each of us seems to challenge



the other. No assumptions here. Councilmember Maurer brings up questions that I would not have thought of. Vice Mayor Zollman does the same thing. Councilmember Hinton, that feels really weird to say that, and Councilmember McLewis. I look forward to this year, and I do take this as a serious obligation and responsibility, and I will do my very best to facilitate the meetings, and ensure that everyone on this Council has a voice, and that the community has a voice, and I promise, I will never talk over anyone, unless they are cursing, which I find objectionable. Other than that, everyone has a voice in this Council and in this town. Thank you for the opportunity.

Mayor Rich called for a break at 7:02 pm and reconvened the meeting at 7:21 p.m.

**Reference Order Number:** 2023-268

### **Break for Refreshments.**

**CONSENT CALENDAR:** The consent agenda consists of items that are routine in nature and do not require additional discussion by the City Council or have been reviewed by the City Council previously. These items may be approved by one motion without discussion unless a member of the City Council requests that the item be taken off the consent calendar.

The Mayor will read the consent calendar items; ask if a Councilmember wishes to remove one or more items from the consent calendar; and then open public comment to the members of the public in attendance. At this time, a member of the public may speak for up to three minutes on the entire consent calendar and request at that time that an agenda item or items be removed for discussion.

If an item or items are removed from the consent calendar, the item shall be placed at the end of the regular agenda items unless otherwise determined by the Mayor or Mayor Pro Tem.

Councilmembers may comment on Consent Calendar items or ask for minor clarifications without the need for pulling the item for separate consideration. Items requiring deliberation should be pulled for separate consideration and shall be placed at the end of the regular agenda items unless otherwise determined by the Mayor or Mayor Pro Tem.

Mayor Rich read the consent calendar.

Mayor Rich asked if any Councilmember wanted to remove a consent calendar item.

Councilmember's Request(s): There were no requests for removal of any item to be removed.

Mayor Rich opened for Public Comment(s):

Linda commented as follows: Discussed number eight, and stated as many of you know, I am what is called electro sensitive, and therefore, in order to survive and continue to keep my good health, I am computer free, cell phone free, tv free, and largely electricity free, and so the point is that I lack access to a lot of the information that you all have, who have computers. The wireless radiation is making us all ill. Anyway, on the issue of number eight, I would appreciate having that pulled, perhaps, and elaborating on that. I would like to know about how many hours might be expected at \$135, and I would just like to hear a little bit more about what the agreement is. Although you know I am in full support of our wonderful, extraordinary volunteer fire department, I would like to hear little bit more information, if that's possible.

Mayor Rich commented as follows: Discussed electronic format of agenda packets; and asked staff to clarify the question of the contract for interim fire chief services.

City Manager/Attorney McLaughlin commented that the fees should be less than or equal to the approved funding for this position.

Councilmember Maurer commented as follows: Stated she has a question about number eight, the committee assignments. So, we are going to renew it for one more year, and then, we are going to be turning in our paperwork by the 27th of December, correct? So, my question is, in general, about the process. Is it customary to stay with the same positions you are already in? Do we switch it up? The first year I came in, I just stated what I

wanted, but I just want to know, I don't want to pull this. I just want some information about what is customary in order to be able to file the paperwork that is being requested of me.

Mayor Rich commented as follows: This is item number seven, the receipt of Mayor's request for committee assignments. Is this a question that we can answer in a short form without pulling it from the agenda.

City Manager/Attorney McLaughlin commented as follows: It depends on the position in question. Sometimes there are reasons whereby a Councilmember might be best advised to continue in the role. It depends on what particular position it is, otherwise, there may be other Councilmembers that are interested in it. There really is no ruler precedent on these items. It does depend on which assignment it is, and what it's currently doing.

Mayor Rich commented as follows: I might add that in general, the approach that was taken last year, and Councilmember Hinton might be able to add into this answer, but my approach, and I saw all of us do this also, was to look at the various assignments, appointments, committee opportunities, and submit those that I felt I was most qualified for, and to the extent that I had prior experience in, those particular positions that I felt I would be good at representing the City in, I mentioned that. So, in some instances, and I think Councilmember Hinton has identified some of these, there are regional positions, where in fact, historical experience with that regional organization is helpful.

Councilmember Hinton commented as follows: In my experience, it kind of depends. Councilmembers have, generally speaking, served on more complicated committees for many years, but have not been afraid to show interest if they felt like they were qualified, and somebody had been there a long time. So, I think it depends.

**MOTION:**

Councilmember Hinton moved and Councilmember Maurer seconded the motion to approve Consent Calendar Items 5, 6, 7, and 8.

Mayor Rich called for a roll call vote. City staff conducted a roll call vote.

**VOTE:**

Ayes: Councilmembers Hinton, Maurer, McLewis, Vice Mayor Zollman and Mayor Rich  
Noes: None  
Absent: None  
Abstain: None

**CONSENT CALENDAR:**

5. Approval of City Council Meeting Minutes for Meeting of November 7, 2023 (Responsible Department: City Administration)

**City Council Action: Approved City Council Meeting Minutes for Meeting of November 7, 2023**

**Minute Order Number: 2023-269**

6. Approval of City Council Meeting Minutes of Special Meeting of November 14, 2023 (Responsible Department: City Administration)

**City Council Action: Approved City Council Meeting Minutes of Special Meeting of November 14, 2023**

**Minute Order Number: 2023-270**

7. Receipt of Mayor's Request for Committee Assignments Submittals from Councilmembers for City Council Committee Assignments and Liaisons. Recommendation and Appointments will be made at the January 16, 2024 City Council Meeting. (Requests to be Submitted to Mayor No Later Than December 27<sup>th</sup>, 2023)

(Responsible Department: City Administration/Mayor)

**City Council Action: Approved Receipt of Mayor's Request for Committee Assignments Submittals from Councilmembers for City Council Committee Assignments and Liaisons. Recommendation and Appointments will be made at the January 16, 2024 City Council Meeting. (Requests to be Submitted to Mayor No Later Than December 27th, 2023**

**Minute Order Number: 2023-271**

8. Approval of Amendment to Contract, Muchmore Than Consulting, for Services Provided for the Position of Interim Fire Chief for the Sebastopol Fire Department. Muchmore Than Consulting, LLC sourced Bruce Martin to serve as Interim Fire Chief for the City of Sebastopol. The Amended Agreement allows for reimbursement of services and reasonable direct expenditures for Interim Fire Chief. MTC will bill the City no more than \$135 an hour for Interim Chief which is the same as that budgeted for the permanent fire chief in the City's currently approved budget. (Responsible Department: City Administration/MTC Consulting)

**City Council Action: Approved Amendment to Contract, Muchmore Than Consulting, for Services Provided for the Position of Interim Fire Chief for the Sebastopol Fire Department. Muchmore Than Consulting, LLC sourced Bruce Martin to serve as Interim Fire Chief for the City of Sebastopol. The Amended Agreement allows for reimbursement of services and reasonable direct expenditures for Interim Fire Chief. MTC will bill the City no more than \$135 an hour for Interim Chief which is the same as that budgeted for the permanent fire chief in the City's currently approved budget.**

**Minute Order Number: 2023-272**

**Resolution Number: 6566-2023**

#### **INFORMATIONAL ITEMS/PRESENTATIONS:**

9. Marin Sonoma Mosquito & Vector Control District Annual Report; Presenters: Phil Smith, ED of Marin Sonoma Mosquito & Vector Control District, and Erik Hawke, Assistant Manager of MSMVCD. Presentation to the City Council. (Requestor: Vice Mayor Rich)

Vice Mayor Rich presented the agenda item and introduced Phil Smith, ED of Marin Sonoma Mosquito & Vector Control District.

Erik Hawke provided a presentation.

Mayor Rich opened for questions from Council.

Councilmember Maurer commented as follows: You said the peak season for ticks is the fall through the winter?

Mr. Hawke commented as follows: For the adult stage, yes, and into the spring months. May through June is the peak for the nymph stage and into the early spring. For the complete cycle, yes, and those are some of the differences we are seeing. They can, to some degree, occur all your round. Those peak seasons tend to be when they are most abundant in those stages.

Councilmember Maurer commented as follows: I'm just wanting to know about the Bodega head.

Mr. Hawke commented as follows: No to Bodega head, but we do have some on the coast. Those are on our website as well. There is an interactive tick map that shows all of the sites and all of the collection numbers.

Councilmember Maurer commented what is your website? Mr. Hawke commented it is msmosquito.org.

Councilmember Maurer commented as follows: I know of a pool that is neglected, so I saw on there, it says report neglected pools. Well, this pool is in a re-burned section, a place that was burned, and the pool was left but there are fish in it. So, what would you do in that case?

Mr. Hawke commented as follows: We would want to see it and inspect it, but if there are fish in it, there's a good possibility they are mosquito fish, and me or the property owner may have put them in there, they may have gotten them from us. It would be good to report that. We would like to do surveillance and check that, and make sure there is no mosquito production.

Councilmember Maurer commented as follows: So, that's a good sign that there are fish in the pool?

Mr. Hawke commented as follows: Potentially, if they are mosquito fish. If they are goldfish or something like that, they probably wouldn't do much good, as far as eating mosquito larvae.

Councilmember Maurer commented as follows: Who do you report it to?

Mr. Hawke commented as follows: You can do that on the website I just gave you under the service request section or call us at 707-285-2200.

Mayor Rich commented as follows: In my experience, I had a similar issue regarding a neighbor's pool. I called, and we have an assigned individual for our area. They came out and knocked on the neighbor's door and checked things out. It was very prompt, immediate service, and I think that is the primary message, that it would be nice that we get out to the public, which is that we have individuals from the mosquito vector and control district, who are assigned to our City. So, we need to make sure that if anyone has concerns about mosquitoes, ticks, rodents, and yellowjackets, that they know they are free to call at no expense and report them and ask for service or ask for advice. The website, [msmosquito.org](http://msmosquito.org). And, the phone number, 707-285-2200. Our taxpayer dollars are going to fund this organization, so no one should hesitate about calling him. I was personally pleased with the service I got when contacting them.

Mayor Rich opened for public comment.

Kyle commented as follows: I really appreciate the presentation. I do have some lingering questions as a result of the presentation, there were some numbers in terms of call for service, which is about 500 calls for service, but there were no other additional numbers stated for things like rodents or ticks. Based on those calls for service, about 500, divide that through by the \$10.5 million of your expended costs, we are talking about \$21,000 per call for service. Maybe you could expand on that so we could see a little bit about the numbers. Mayor Rich is correct, this is taxpayer subsidized, but I would expand on this, this is fully taxpayer paid with surplus over the last number of years. So, getting to hear more about what these economic costs are would be really helpful. One thing about the site list that seemed noticeably absent was the Laguna itself. We heard very much about issues regarding the Laguna with being a mosquito location. I've heard numerous times about the number of ticks that are there, but it's surprising that is not a site being listed, or any sort of data about that site being presented here tonight. There was a demonstration or an image regarding mosquito surveillance. I'm wondering about mosquito surveillance happening within City limits. How does that apply to private property? We just got done having a really in-depth discussion about the use of surveillance within our City limits on City property. Communication with our police chief, I would like to hear more about this type of surveillance on private property.

Linda commented as follows: I am sure you remember me from about 10 or 13 years ago, when we had a little light shed on the situation with ticks and lime disease, which is still epidemic, and we are kind of at ground zero

here, and it's probably not gotten any better. It's probably only gotten worse, if anybody would start addressing it. Since the doctors cannot accurately and easily identify Lyme disease and a lot of the other tick-borne diseases, they go misdiagnosed, and untreated. It is my experience and information that a lot of the unhoused, particularly, people camping out in the bushes, where I personally collected over 400 ticks while I was on the trail. I stayed on the trail just collecting them as you go. They were on the tips of the grass, hanging over onto the trail. Anyway, the places are just filthy rich with ticks, and the signs are terribly inadequate. There needs to be a lot more information, education, particularly, public health, and the public itself about the ticks. Not only prevention, but treatment, because as you know it can be devastating, and I have been treated for it seven times myself.

Sue commented as follows: My comment is not about mosquitoes, although I do suffer mosquitoes around my property, but I'm very grateful for the bats that fly overhead. My comment is just about the responsiveness of the mosquito abatement district. I was at riverfront regional park over the summer and I was bombarded by yellowjackets, because I would just happen to be in the wrong place at the wrong time, and I was stunned several times, and I went back a month later, and thought they would be gone, but low and behold, they were not. I called. I left an email on the districts site on a Sunday evening, and on Monday morning, I received a call from a fellow, who had already gone out to the park and treated the site, and told me that things would probably be fine by the end of the week. I was just really impressed with how responsive the abatement district was, and I commend them at their response to public input and need, because it was really unpleasant, and I thought about children and others that were affected. There were some of the kids that had been stung while I was there, but anyhow, I just wanted to say, they do a great job and I really appreciate their efforts. T

Mayor Rich responded to public comment as follows: To respond to a couple of questions, I didn't know that here in Sebastopol, there were at least 1000, I think it was 1075 locations that are actively monitored by the mosquito and vector control district. That is in addition to any calls they may be fielding, and that is also in addition to any observations they may have regarding additional ticks and those sorts of creatures that are out there in our world. So, the other comment I would have is that this is a very responsive, as the commentor just confirmed, very responsive entity. I'm sure that to the extent that there are additional questions anyone has that are specific, the best bet would be to email the mosquito and vector control district and get answers that way. In terms of Laguna Santa Rosa, that is outside our City limits, but on the website, all of those regional locations are documented very thoroughly, because it is Marin and Sonoma counties. Finally, mosquito surveillance, I happen to be, because I am a trustee, I can confirm that privacy issues are carefully respected with the mosquito vector control district efforts. That has been an in-depth conversation at the trustee level in order to ensure that there isn't any invasion of privacy issues there. Thank you for coming and making your presentation.

**City Council Action: None Taken. Informational Only.**

**Reference Order Number: 2023-273**

**PUBLIC HEARING(s):** None

**REGULAR CALENDAR AGENDA ITEMS (DISCUSSION AND/OR ACTION):**

10. Discussion and Consideration of Adoption of Resolution Approving Objective Design Standards (ODS)  
Presenter: Planning Director/Opticos Design (Responsible Department: Planning)

Planning Director Svanstrom presented the agenda item recommending the City Council Adopt Resolution Approving Objective Design Standards (ODS) and introduced Opticos Design.

Mayor Rich opened for questions from Council.

Vice Mayor Zollman commented as follows: I did read in the staff report that there was a vote against and one abstention, and as we have said tonight, we are very interested in all voices, so I'm interested to what it is you can share about the one that voted against and the one that abstained.

Director Svansson commented as follows: There was one member who was also on the subcommittee did vote against it. She did feel like we needed more time. We can make it more individual, more specific to Sebastopol. She also did express a number of concerns with state law and interference with local control, and how well that might change the City. Again, I don't think that is necessarily the purview of the project, which is the whole point was to put something in place. As most of you know, we did get an SB 35 project, which is now under construction on Bodega Avenue. We did not have these in place of the time. They were still held to our zoning standards, but if we had had these, or if we get a future project like that, we would be able to have both our zoning and design standards in place. And I do know there are a few areas where that would have modified that project a little bit in a way that I feel would be better for the community.

Mayor Rich commented as follows: There was that person that voted against. There was someone else that abstained. What can you share with us?

Director Svansson commented as follows: Stated it as Lynn Deedler. He did talk about preferring the lower densities. Again, this document has nothing to do with density. That is regulated and will continue to be regulated by the zoning ordinance. He did also have some comments that were included in the revisions, including some of the massing and requirements for the buildings that would bring down the massing of the buildings, but he also wanted some additional requirements, to require dedicated public walkways through the private properties, and that was not the Board's consensus to include that. He also felt more time would be good, but again, this was available since July to the Board. And, obviously, with the subcommittee much longer than that.

Councilmember McLewis commented as follows: This was a lot of information. I wanted to better understand how all of this works. I was wondering, looking at the map on page 51 of 259, are the only areas impacted, are they the colored areas on the map? I guess, what I wanted to understand is, with the table, it shows the current zoning on the left and gives the overlay for the design district on the right. Am I reading that correctly?

Director Svansson commented as follows: I will first show the map, and the answer to that question, is yes, the white areas are not affected by this. They are, generally, either single-family zones, which aren't subject to sb 35 regulation, or they are nonresidential zones, open space or industrial areas, and some of those.

Councilmember McLewis commented those aren't affected by this.

Director Svansson commented as follows: There is an additional law that we are working on addressing called SB 9, which does affect single-family. We are doing that as another round. We will have the draft document of that out soon in the new year. This law does not affect single-family. This only affects where multi-family or mixed use with multi-family is allowed, which is multifamily zones and commercial zones. There is part of our commercial zone office in one of the design overlays, and then, one that is in another one, and the consultant will go over why that is so. So, what you have here is the existing zoning district, and I want to reiterate the existing zoning districts are not going away. And, the existing zoning standards, any project that comes in would need to comply with both of the existing zoning standards and the design requirements from this document.

Councilmember McLewis commented as follows: I was just wondering about the Redwood marketplace. Is that included? Is it possible to develop that into housing? I know we've had a lot of questions about that in the past, so

that was something that came to mind. Does the overlay designation, does that open up formerly commercial districts to residential development?

Mayor Rich indicated the consultant will provide the presentation and then the Council can continue with questions.

Tony Perez, Opticos design provided a presentation.

Mayor Rich re-opened for questions from Council.

Vice Mayor Zollman commented as follows: The first part of the last presentation said, these standards are designed to maintain the character, the character of the existing building. In a nutshell, in layman's terms, what does that mean?

The consultant commented as follows: When we referred to character or physical character, we are talking about things like the size of buildings, and the width and depth, not only the height. Whether they have pitched roofs are flat roofs, whether they have certain elements along the front, say a porch or a stoop, or simply a front yard. Whether the parking is in the front, the side or the back, whether the buildings are near or set back from the sidewalk. All those kinds of elements that contribute to how you perceive a building from the street and along its sides, and that is an overall term we use, physical character.

Vice Mayor Zollman commented as follows: The example I have is an older building, like a Victorian, and all of a sudden, somebody wants to redesign it to have a flat face, like a modern flat faced building. Where does that all fit in?

The consultant commented as follows: The architectural standards chapter in this document is style neutral. That was a very big subject that was talked about many, many times with the subcommittee. And, so, what the architectural standards provide is form standards. For example, if you created a flat facade, there are requirements for how long that it can be flat without an opening, for example, or if it has to have a massing break or recess or something else that the standards require, but you can't just belong, blank facades.

Councilmember McLewis commented as follows: I was curious about the single-family lots. What is in place to ensure there are appropriate lines to ensure the privacy and provide enough parking? I was just thinking about these multiunit buildings on the single-family lots, and what do we have in place to ensure that appropriate lot lines preserve privacy, and also, providing enough parking so that our narrow streets don't end up -- we've gone from a single family home to multiunit, and now we have many more cars. What is in place to help maintain all of that as well, in addition to the character and such? Those are just practical things.

Director Svansson commented as follows: For the parking, our zoning standards do require parking based on the size of the units. The number of bedrooms, that kind of stuff. That is still in place. It's currently in place. Where and how the parking is handled, so that it's not -- especially, if you think about it, we have a lot of commercial areas where there is a huge parking lot out front. We have design standards in terms of how it's designed, and how it is broken down, so that if it is in or next to a residential neighborhood, especially, it isn't a massive parking lot, it is distributed throughout the development in a way that improves landscaping.

The consultant commented as follows: The standards provide for adjacency requirements, so if a building is bigger, allowed to be bigger than what it is next to, then there are requirements, for example, on page 63 of the objective standards. There are adjacency standards that require that massing to be scaled down to be

transitioned down with very specific size requirements. Basically, what those standards are trying to do is to say, we are going to transition building a building bigger than a house, when it's your house, to be similar in size. Something might be allowed to be three stories elsewhere on the property, but as soon as it gets near a house, within a certain distance, it specified in the standards, it has to be massed and volumes need to be the size of what houses are. The standards attempt to do that.

Director Svanstrom commented as follows: I was just going to add one more thing about the parking. The ODS does have design standards for the location of parking, and generally, it requires the parking to be set back away from the street and behind buildings, so you really have a pedestrian friendly environment at the front of the property.

Councilmember Hinton commented as follows: These design standards were developed in response to the project that came under SB35, is that correct?

Director Svanstrom commented as follows: I would say they were developed in response to the State law SB35, which requires this process where we have projects that don't go to regular design review anymore. The project we did get did inform the work, as every design experience informs the next, so yes, the Woodmark was the only SB35 project that the City has seen, and there were, certainly, things that I learned from that that are in this document. We had two design review board members, who were familiar with the Woodmark project, who were on our subcommittee, and also felt that way.

Councilmember Hinton commented as follows: How many more possibilities will come forward that these new rules might impact? Are there other properties like Woodmark that can be developed?

Director Svanstrom commented as follows: The interesting thing is, we are not subject to sb 35 right now, but there are a number of properties where it is a single-family home in a multifamily zone, and so that could happen. I know of a few of them where they were recently sold. The folks ended up wanting to live in the existing house, but we had people asking about development opportunities for those. Definitely, there are those development pressures in Sebastopol that we are seeing.

Councilmember Maurer commented as follows: Earlier, we talked about the form-based code that they mentioned, and so, my understanding is that the code, these designs are based on this form-based code, and so I was wondering, does the form-based codes supersede the zoning ordinance? For example, if you have a zoned neighborhood for multifamily, or single-family residence, could a building that looks like the rest of the buildings in the neighborhood then be used to put in a store?

Director Svanstrom commented as follows: The answer to that is no. The zoning ordinance is not being displaced in any way. Projects to come underneath this have to meet both the zoning ordinance and these design standards. Just like anything that comes under discretionary design review needs to meet the zoning standards and regular design guidelines. You have to do both.

Councilmember Maurer commented as follows: If we wanted to make a small change in the resolution that you are proposing for the City Council, is that okay tonight?

Director Svanstrom commented as follows: I believe that is something that could be read into the record. That is the Council's prerogative.



Mayor Rich commented as follows: It would be good to know the answer to the question. Would that delay approval of these objective design standards?

Director Svanstrom commented as follows: I think it would be fine to do tonight. Addressed the question of whether or not Downtown would allow residential. The zoning ordinance that we currently have does specify when you can have residential and commercial zones, and so right now, you can have residential above a first-floor without a use permit period in the City. You can have 100% residential, that is an affordable housing in any of the commercial zones without a use permit as well. That is in our zoning ordinance already, so we are not changing those rules. You can also do residential only with a use permit, such as has been proposed on Healdsburg by Murphy, the vacant lot, and the project that took a really long to complete. It did actually come to our planning commission to get a use permit to do residential on the ground floor, so that is a current process. I will note that we did get a grant to look at the zoning along the commercial corridor's and look at whether it made sense to change those rules. That's not under review tonight, but that is, certainly, something that we heard as we were going through the housing element, and that we have heard from others in the community, and some of our planning commissioners.

Councilmember McLewis commented as follows: Questioned the current situation with redwood marketplace.

Director Svanstrom commented as follows: I will say, the redwood marketplace has been looking at what that could be as a mixed-use community. Part of that grant that we just got, that is something that I have already engaged with the property only that owner, and he is interested in that. That will be part of the next project. I will say that the large sites, which, regardless of how some of our design review board members felt about the overall state law and all of that stuff. The large sites are something we don't have in our current discretionary design guidelines of how to deal with a large site, like say, redwood marketplace. I think it was pretty unanimous, the fact that we were developing these guidelines for large sites. They are really going to be helpful for us. So, I think that in combination with the next step of the grant, looking at redwood marketplace, will actually be really helpful to the City.

Planning Commissioner Vice Chair Fritz was in attendance and commented as follows: I will just say that I really appreciate being part of the process. I think it was really useful, and important for the City to go through this. I think that document is extremely thorough. It covers a lot of different situations, a lot of different locations, and I think that, generally, I'm really happy with the way the document turned out, and I was helping that we could really apply this more universally, rather than just limited to sb 35 projects, because we spent a lot of time and money and effort putting it together. I think it was very limited, for future sb 35's, we are not really subject to that requirement at the moment, and I think it will be nice to allow other projects that wanted to have a smoother entitlement process use these standards, if they felt it was appropriate. And, if future projects don't want to use these standards, they can go through our discretionary review process, just like they would today, and that is my personal recommendation. I know some design review board members disagree with that, but, generally, I think, as you can tell, it's a very dense document, and we really went through it line by line over the past year on the design review committee and the design review board and the planning commission. We spent a lot of time developing it, and I think it's really a good document that will serve us well.

Mayor Rich opened for public comment.

Kyle commented as follows: Maybe some of you have read my public comment that I submitted earlier, the end of last week. And so, I'm still hanging up on the idea that we are choosing in these design standards to both combine R6 and R7 and when they have such radically different densities. Maybe some expansion on white's appropriate to combine those things, in terms of these design standards, specifically regarding things such as

thoroughfares. The standards make reference to no cul-de-sacs, no dead ends, but at the same time, if you are trying to promote a pedestrian centric neighborhood environment, then creating additional thoroughfares, which would redirect traffic through those thoroughfares, as people are taking shortcuts. We see that all over the City as a result of traffic issues that we have, that people are taking thoroughfares cutting through neighborhoods, which is not pedestrian centric. Recognizing both this density issue. We're talking about twice the density between R6 and R7 and combining concepts of thoroughfares. Additionally, something like open space. You have a design standard requirement of 10%. 10% in R6 and R7 are radically different. It isn't clear to me that combining those things is the correct answer. Additionally, regarding open space, if you look at something called playground, I'm not quite sure that we are being objective enough in there. In that description, it includes, this is a space, 40 by 60, it can't be on some particular thoroughfare to protect children, but nowhere in there is any objective that says there needs to be anything in this 40 by 60 open space that actually encourages the playing of ground on that area. It says, may include equipment, may include. The problem with our standards historically were the use of terms like may. If we are going to have objective standards, we need to make sure they are objective, and that includes things like may or will. I'm hoping we can address that. We haven't made clear that it is actually two minutes under the new Mayor. I want to make that point as I exit.

Mayor Rich commented as follows: I will clarify that we are at two minutes, our general policy as we had before.

Linda commented as follows: I would just like to say that our Mayor has confirmed she is living in an alternate reality, and that I would like to know how much this whole thing costs. Anyway, there is a fatal flaw in all of this, and that is the levels of radiation aren't taken into consideration. There is no attempt to protect people, or to design the building so that it is safe and healthy and keep people from being, literally, cooked alive and being exposed to get higher levels. You are increasing the levels of radiation in this cancer cluster and creating yet another cancer cluster. This is -- has been addressed, in fact, in our recent PG&E bill, which contained a little brochure entitled, understanding electric and magnetic fields, emf. I'm reading off of this. The question has been raised about the possible health effects of 60 hertz power frequency, electromagnetic fields, which are found wherever you have electric power. This brochure contains information that will help you understand emf. Anyway, we already have cancer clusters here, down at the palm housing. They got together and approached the City, and we had measurements taken, and it was ridiculously high, and there were a lot of dead people there within the first three years, from cancer, and a lot more that are sick and ailing, and nothing has been done about it. Everyone seems to ignore this issue.

Robert commented as follows: My comment is relatively brief. I'm not sure how the City Council can approve objective design standards, or ODP, without actually seeing the complete document. It wasn't published on the website. Perhaps, you all had access to it privately. I went back into the august planning commission meeting and found a draft version of it, and I have to admit, it is immensely dense, so it would not be fun to sit in a meeting and go through it all, but it seems like there needs to be some way to present this to the public, to represent what the public wants. We should all be able to see it, understand it, feel it, and agree with it, and I think I was impressed by Kyle's comments, they seemed important, and needed to be considered. Maybe there are more comments like that from the public that need to be considered. I understand you have to approve it tonight or else you will lose all of this money. Not a surprise, that's kind of the way these things go, that's my comment.

Mayor Rich responded to public comment as follows: I see three questions that it might be worth answering. One is, it sounds like we could use an explanation as to why the R6 and R7 standards are combined, a general justification for that, if in fact they are. And then, I also would like you to confirm that, in fact, as I saw in the packet, the standards are included, so those two items, if you could address those.

Director Svanstrom commented as follows: In terms of the R6 and R7, they are combined in this document, in terms of the design standards. In the zoning ordinance, they allow the same types of buildings, so the same building form. That's what most of this document is talking about. I do want to be clear, however, that because the zoning ordinance still applies, you couldn't do the same density. You would still have to do what is in the R6 zoning ordinance for density in the R6, and they also have different requirements for additional open space, bigger setbacks, and the R7 allows an additional 10 feet and one story in height for affordable housing developments. Those still apply, and there are several places in this document where it actually says, see zoning standards, including the density and number of units you can build. Because the two documents need to be coordinated. I can also confirm that it's on the website. I did want to note one thing from the commentor, because I also got the same question from Councilmember Maurer earlier today about thoroughfares and more streets. Is that better or not? The thoroughfares can be, and I'm looking at the documents, page 214 of the pdf, thoroughfares can actually be pedestrian paths. They don't have to be a street for vehicles. It is about pedestrian connectivity and the example I use is, if you did have a set up like redwood marketplace, right now, people have to get in their cars and come all the way up to get to Starbucks, or there is a pedestrian alley that goes to go up. That type of a thing is what we are talking about. It might be a street. You might add one street, but you might also add three or four parcels. That's the way of connectivity. We did have a number of discussions about how the different areas should be grouped in accordance with both the types of buildings that are there currently, the types of buildings that the zoning ordinance would allow, and so, yes, that was discussed.

City Council Discussion, Direction, Deliberations or Further Requests:

Councilmember Maurer commented as follows: The title of it is walkable community design. Then, it talks about requiring new streets to form blocks, depending on the size of the lot that is being built. So, anything larger than three acres would require new streets. And, for me, it just feels like it is adding more car access, not just walkable. I just think it would be great to have more thoroughfares, more class one bike and walking paths, but to add more streets, you are adding more cars, and to me, that is not really a walkable situation. We talked about this earlier, so I won't go on about this, but I just wanted to give that is one possible example. You've got at least three years before you are even at risk, in terms of numbers to have to use this. I know there was dissension on your design and review board about some of the ways, the language in this document. This is a document that is a boilerplate document that has been adapted for Sebastopol. And so, I think some of the language could be, maybe, cleaned up. Removing what is not essential and making it more user-friendly. I would agree with your design review board member on that one, but I also wanted -- I know this is a huge project, so great job on this. This is like four years in the making, and congrats on getting a grant to do it. I appreciate that you are looking to protect our City in the best way possible. That's great. So, my second issue that I'm going to be asking for a small change in is in the resolution itself.

Mayor Rich commented as follows: Was there a language change that you were hoping for in the walkable community design, or was it a general observation?

Councilmember Maurer commented as follows: It is an observation to ask the design review board to pick it up a couple more times. To just clean it up a little bit, because it wasn't a unanimous decision. There was concern that the language was cumbersome and that it could be cleaned up, and I agree with that. That is just one example, because I think we want to promote walk ability and not more streets for more cars. I would like to go to the resolution that we are being asked to adopt tonight, because we are not really adopting the document, per se, we are adopting the resolution that then is adopting the document. So, this document can still be reworked. That is my understanding. Okay, so on page six of 259, of the resolution, for the City Council, it says, whereas the project is consistent with the following City Council goals, and then it lists, one, two, three, four, five, six different goals, and this is a little bit of a sore spot, because this Council has not discussed our goals. So, I would like to add a date, for example, was this the 2019 City Council goals, or the 2020 City Council goals?

Director Svanstrom commented this was the 2019 goals.

Councilmember Maurer commented my request is to add the 2019 City Council goals just for clarity, because we have not developed any goals yet. That is my amendment request.

Councilmember Hinton commented as follows: I am a little confused about Councilmember Maurer going to the document. I'm not interested in sending it back to design review. I'm a little confused.

Mayor Rich commented as follows: Staff clarified that was a comment, so we are not giving directions for it to go back to the planning commission.

Councilmember Maurer commented as follows: That was my request, to allow some modifications in the future, which has already been stated.

Director Svanstrom commented as follows: Council can adopt a new resolution to adopt the amended design guidelines at any time. I just wanted to clarify that.

Councilmember Hinton commented as follows: I did have one comment, and it also would be my observation, not to stop this process, but I really have strong opinions about, as the public comment are brought up, the word may, which leads to discretion. I think discretion is really hard for the public to understand and follow. So, when he mentioned may, regarding playgrounds, or may, the discretion. Somebody has to make a point there, a discussion point, and it's really hard when you are trying to follow the rules and come up with the design, that may leave it to an opinion. So, if that is in the main point, and as Councilmember Maurer brought up, it will be looked at again. I would like to enter that for the record, that I would like those maze taken out, because I think it should be one way or the other. And, discretion should not be part of going to all of this trouble. I also don't have a problem with adding 2019 Council goals. I was on the Council then, I don't happen to disagree with these goals today. I think they still apply. If that's important to somebody, it's fine with me. And, my last comment is, I think we need to rely on our planning commission. This is their job. It's really hard. Sometimes it becomes hard for us to give feedback, but it's such a dense document, it's really hard for us to get into it, and that's why we have a planning commission or that has experience in these areas, and I rely on them and their feedback, so I'm happy it went through that link the process and is coming to us to finalize tonight.

Councilmember McLewis commented as follows: I wanted to say that I too agree with the word may. It makes it very ambiguous and very open to interpretation, depending on the person. That is concerning, and I agree with Councilmember Maurer about the City Council goals not being a part of that Council, I prefer it to be very reflective of who set those goals, and I do think that it should be clarified that it is not the current Council. That is important to me.

Mayor Rich commented as follows: Mayor Rich commented as follows: I'm hearing some interest among a couple of Councilmembers for further modifications. If we approve the resolution, and I have also heard the comment from you, that these could be amended at a later date. What do you propose? Is there a plan to amend them? Do you have a timeline? What would you suggest?

Director Svanstrom commented as follows: I don't currently have a timeline, but it is, certainly, it is a dense document. We can, certainly, have this available with some comment from the public, so we can continue to take -- they have had it since July, but people who don't attend those meetings but attend this one may be hearing about it now. To solicit comments, and then, do a check-in with the design review board. We do have three

openings on the design review board right now. I don't know if all three of those will reapply. But, certainly, if there is a new or more than one new member of that, they may have some thoughts as well.

Mayor Rich commented as follows: I understand that you have a workplan that you report out to the City Council on. Is this an item that you could add to your workplan to report out on to us next time?

Director Svanstrom commented as follows: I can add it but I am hesitant to change the work planning commission plan because they have already proved that.

Mayor Rich commented as follows: I am just asking to track it, because if we approve the resolution, it can still be remanded at any time. What you are proposing is that you could encourage, invite additional comments on the City website and track those so that when there is an opportunity to amend, you can consider those.

**MOTION:**

Councilmember Maurer moved and Vice Mayor Zollman seconded the motion to Adopt the Resolution Adopting the Objective Design Standards for Housing Accountability Act and SB 35 Eligible Projects as amended:  
Amended language to state : Consistent with 2019 City Council goals

Mayor Rich called for a roll call vote. City staff conducted a roll call vote.

**VOTE:**

Ayes: Councilmembers Hinton, Maurer, McLewis, Vice Mayor Zollman and Mayor Rich  
Noes: None  
Absent: None  
Abstain: None

**City Council Action: Approved Resolution Adopting the Objective Design Standards for Housing Accountability Act and SB 35 Eligible Projects as amended:**

**Amended language to state : Consistent with 2019 City Council goals**

**Minute Order Number: 2023-274**

**Resolution Number: 6567-2023**

Mayor Rich called for a break at 9:06 pm and reconvened the meeting at 9:29 PM

11. Consideration of Purchase of 2020 F550 Fire Rescue Truck from Hopland Fire Department in the amount of \$80,000. Funding for Purchase to be Allocated from the Vehicle Reserve Fund as well as offset from funds to be received from Cal OES for out of service calls reimbursement. (Responsible Department: Interim Fire Chief)

Interim Fire Chief Martin presented the agenda item recommending the City Council Adopt Resolution Approving Purchase of 2020 F550 Fire Rescue Truck from Hopland Fire Department in the amount of \$80,000. Funding for Purchase to be Allocated from the Vehicle Reserve Fund as well as offset from funds to be received from Cal OES for out of service calls reimbursement.

Mayor Rich opened for questions from Council.

Councilmember Hinton commented as follows: For clarification, on page one of the agenda item, there was a misprint about the date that the fire ad hoc committee received a letter with intent to purchase, dated October 17th. So I wanted to clarify that. The first I heard about the letter with intent to purchase dated the 17th was on October 24th and that then was requested by myself to be received and sent to the fire ad hoc committee and

the fire ad hoc committee received it on the afternoon of October 25th for the first time. So I just wanted to clarify that and we did not get a chance to discuss this until, as stated, November 30th and so those are the correct dates.

Vice Mayor Zollman commented as follows: That was my question, too. Because what I read in the staff report what did this go to the fire ad hoc committee, this whole issue. At least that is my recollection from having read it and I am just curious because the two members of the ad hoc committee put in a lot of time and effort. So to the extent that you did discuss, could you share with us what your opinions are? Because you are considering bigger issues like going to do solo consolidation, how would that work with this potential purchase of this truck? I won't put anyone on the spot but I respect your work. Just asking.

Councilmember Hinton commented as follows: Just to clarify, this letter was sent without our knowledge. CCd to the City Manager, that is the clarification, I guess. It was written and sent, as far as I know, October 17<sup>th</sup> and we do not know of its existence until we received it on October 25th. We didn't have an opportunity to meet due to vacations and other issues until November 30<sup>th</sup> as s stated in the staff report. And at that point we decided not to make a recommendation because it was already scheduled to come before the full Council and it seemed like an intent to purchase was already out there.

Councilmember McLewis commented as follows: Everything that was just stated is backed by me, as well. It is unfortunate that the process went that way and kind of rode around us but at this point I think we need to discuss it. I don't know if that answers your question. I have a few other comments about it. It is just unfortunate that we don't know what the replacement value will be, et cetera. We are in a conundrum here because we have a truck down. So it sort of put us in a position where we, decisions were made and intentions were communicated before we could even weigh in.

Vice Mayor Zollman commented as follows: What are the consequences of not doing this? So not having this truck is going to impact our overall service in what way?

Interim Chief Martin commented as follows: Currently the inventory from the old rescue truck is spread out on the floor of the fire station. So it just adds a lag in response time to certain specialty equipment that we could bring to this type of call. More importantly I think, it, the use of this new type and style of truck solves one of the conundrums we have in our organization, which is the drivers licensing and response capability. So even, I think, according to my look at the nonresponse calls of last month, one of those could've been solved by having this vehicle in the inventory. So not having this truck just perpetuates a structural problem we have with the ability of volunteers to drive the engines and that it makes for a longer response time for specialty rescues, which admittedly are low-frequency but they are high risk when they happen like so many things in our world, time is of the essence.

Vice Mayor Zollman commented as follows: Did you say that the alternative vehicle, if you can't get this one purchased, is somehow in disrepair, too? It sounds like there were parts on the floor.

Interim Chief Martin commented as follows: No, things are on the floor, the inventory, the equipment that the rescue truck carried.

Councilmember McLewis commented as follows: I was just wondering, fire chief, if you could clarify or expand a little bit on why this is drivable for our newer drivers versus not. We all understand this is super important but just helping the public understand how this changes it. This truck that we are receiving, does it solve all the issues? Does it replace everything that we had from the other truck plus? It is obviously different.

Interim Chief Martin commented as follows: Discussed the drivers license requirements. That is a California vehicle code stuff. So to drive a vehicle with a gross vehicle weight of over 26,000 pounds requires a commercial drivers license and within the last 20 years they made a specialty firefighters commercial license. In either case, that is more than the Class C drivers license that all of us have to drive our regular personal vehicles. The proposed purchase only requires a Class C drivers license because the gross vehicle weighs less than 26,000 pounds. That is the reason of why it solve that problem. And then to your second question, it does replace the capabilities of the former rescue truck in that all of these specialty rescue equipment we used the carry on the old truck will fit in the compartments of the proposed purchase and the bonus is that the proposed vehicle also has a small water tank and a small pump, making it usable for incipient fires, small roadside fires, fires in the creek, and so it actually brings a little extra capability to us and our volunteers. If that helps.

Mayor Rich commented as follows: I want to understand the expenses here. I see that in the fire department budget approved, there is \$40,000 already set aside for a fire truck, am I correct in that?

Interim Chief Martin commented as follows: I think that is the \$40,000 that we are calling out in the staff report.

Mayor Rich commented as follows: There is a potential insurance distribution. So we've got \$40,000 already budgeted. That leaves \$40,000 more that needs to be covered. There is a potential insurance distribution and its replacement value, I get that. There is a very broad range on this replacement value, \$150,000 to \$250,000. If we assume, is \$150,000 the very lowest amount that it would be valued at?

Interim Chief Martin commented as follows: That is my estimation. And it really is subject to what the carrier is going to say the replacement cost of the damage to vehicle is. The carrier could choose to replace just the cabin chassis or the carrier could choose to somehow say we will replace the whole vehicle as is.

City Manager/Attorney McLaughlin commented as follows: To make sure the record is clear, we don't presently know how much money will be received from the insurance claim because there are two policies that could be applicable, one of them has the large deductible, one of them had a much smaller deductible and we are still awaiting on the insurance company to make a determination on there and as to which policy they believe applies. Following which, our insurance pool staff will review that and see if we agree with their determination. So at the present time, a safe statement to make is we don't know how much money we are getting from insurance. We know we will receive some money.

Mayor Rich commented as follows: The range of deductible is what?

City Manager/Attorney McLaughlin commented as follows: I believe it is \$25,000 and one policy. I think the other one is \$100,000.

Mayor Rich commented as follows: Does that mean the worst case scenario we could end up purchasing an \$80,000 firetruck with only \$40,000 in the budget? And therefore, adding up an additional \$40,000? Is that the worst-case scenario?

City Manager/Attorney McLaughlin commented as follows: No, I don't think so because my understanding is we will receive some payment on the insurance claim, even if they believe that the higher deductibles applies. In today's our insurance carrier staff has not concluded their analysis of those two policies to see whether they will be agreeing. The insurance company determination.

Mayor Rich commented as follows: It strikes me that if you get the lower value of \$150,000, and the higher deductible of \$100,000, you still end up with \$50,000 net to add toward this firetruck purchase, am I missing something?

City Manager/Attorney McLaughlin commented as follows: If we assume the figures are correct. The value of the vehicle is between \$150,000 to \$250,000, that is correct, and your math is correct. But we don't know for sure that is the determination. Insurance company will arrive at what they believe to be the fair replacement cost figure and we may disagree with that.

Mayor Rich commented as follows: I just want to make a comment on this, unanticipated \$24,691, that is wonderful but I just want to make the observation that we have spent much more on fire trucks over the last five years than we have received. And so it isn't as if we have a firetruck holding fund and we only have that amount that we spent on fire trucks. It is wonderful that we are getting that amount, but that goes into our vehicle fund, it doesn't necessarily specifically go toward a firetruck. So just want to state that we have spent a lot more than the amount we have received the last five years. So I guess my final question would be what if we don't buy this firetruck? You said that there are situations when it would specific examples of calls when this, a lack of this firetruck would delay a response? Please clarify the calls.

Interim Chief Martin commented as follows: Rescue calls, according to my look at the stats, just over 4% of the calls we run every year. So I would have to do the math to figure out how many calls that is, actually. It means that we would store this inventory of equipment in the fire station and should we need it, we would either ask for mutual aid from one of our neighbors who might have that type of equipment. We could load that equipment into a utility pickup truck and take it to the scene when we have sufficient staff there. It just adds to the reflex time of getting that type of equipment.

Councilmember McLewis commented as follows: If you could to help everyone understand that if we did decide to move forward with purchasing this truck, give us a sense for how quickly it would be put into action and is there any kind of lag time in different things that need to be done? And I ask that simply because the issues that have been presented to the public about nonresponse. I think it is important to manage expectations all around.

Interim Chief Martin commented as follows: The vehicle already exists, it has been in service in Hopland. Although they have chosen to surplus it and go a different route with their own organization. So we would have to complete the purchase and do the mechanics of getting payment to the Hopland fire department, taking physical possession, getting it reregistered at the DMV. I think 30 days is probably reasonable.

Councilmember McLewis commented as follows: Nothing is ever as clean as it seems. I thought it was important for everybody to understand, especially the public.

Interim Chief Martin commented as follows: By way of comparison, if we were to order today a brand-new vehicle, identical except the 2024 year model, other fire chiefs are telling me that the delivery estimates they are getting are in the range of 18 to 24 months. Sometimes even longer.

Mayor Rich opened for public comment.

Kyle commented as follows: Really enlightening discussion tonight. Very interesting to hear about the level of insurance this vehicle might have had, makes me think about previous conversations we have had about our vehicle inventory in the City, which is in the millions of dollars. Also think about the insurance premiums, the deductibles that are associated with the millions of dollars of vehicles that we have not yet established as being



having a inventory stock that is reflective of the need of our City. So if you're looking for creative solutions, to fund something like this, you might think about inventory or surplus in some of your excess vehicles that you might have inventory that you are continuing to pay full insurance coverage on and maintenance costs, with no clear need demonstrated for the need for that large number of vehicles for our City.

Linda commented as follows: First of all, Mayor Rich, somehow you didn't answer my question about the cost as asked earlier. You are concerned about money. I'm concerned this firetruck. I had the privilege as it happens so often, the fire department just answered a call here right next to my apartment. And so I got good information about that stuff. By the way, you should be ashamed of yourself, again, about not responding to the need of the fire department, to see that there is enough staffing for the fire response. But anyway on this particular truck, this is something that I thought of a couple of years ago and I did a little casual survey because this particular truck is like a proper truck. You can put water out the sides. And so I saw the need for that on the County trails. See if anyone would talk to me and several of the people there, multimillion dollars, a good idea that I was even talking to them about purchasing their own and drive it on the West County to go on the trails and pump out water on the side. So this is really a good idea and it is really a good deal. It is cheap cheap cheap and I fully support it and you ought to try to do whatever you can to make up for your stupidity about the lack of staffing.

Loretta commented as follows: I just think this is a no-brainer. We have an opportunity here to get a fire truck for like half the price and all of our equipment sits in this firetruck. We have \$40,000 set aside we have \$25,000, almost, the wildland fire people earned this last summer and we have the insurance. So all that it is going to cost us is the deductible. That's going to get a new fire engine for the amount that the deductible is. No matter what you want to do with the fire department, consolidation or whatever, that firetruck needs to be replaced. And it is a cheap opportunity, we can get it in about 30 days, as opposed to a year and a half. You can go back out to wildland fire next summer if needed and we will earn more money on it. I just think it is a no-brainer. And I am 150% in favor of sending whatever money we have to get this opportunity for us.

City Council Discussion, Direction, Deliberations or Further Requests:

There were no further comments at this time.

**MOTION:**

Councilmember Maurer moved and Councilmember Hinton seconded the motion to approve the Resolution of the City of Sebastopol City Council approving adjustments to the budget of Fiscal Year 202321024 for a purchase of a 2020 F550 Fire Rescue Vehicle.

Discussion:

Councilmember Hinton commented as follows: I'm going to go ahead and second but with a comment. As the board of directors for the fire department, the intent to purchase, in my opinion, should have been brought to this board or at least the fire subcommittee, prior to have sent a letter to Hopland. I think that in the spirit of cooperation, especially with the hiring freeze and the budget situation that we have been dealing with, it might be a windfall for us to replace a firetruck, and I am very happy we have been able to do this in it in 30 days but I also think that we really need to follow protocol in this community and this City needs to work as a team. So I'm going to second the motion tonight with that comment, thanks.

Mayor Rich commented as follows: I will go ahead and take the opportunity to support that comment. I know that we have our new interim fire chief here and I think it is important to get the message out there that those sorts of decisions need to come to the ad hoc fire committee and the fire chief should not be acting independent, that he needs to go through the process and procedure that is established in this City. We can't hold that against this situation because clearly, the firetruck, in my opinion, is needed. But it is disappointing and it doesn't reflect

well on the fire department. We have a new interim fire chief and a hard-working group of firefighters. So I think we will see a change in the future

Councilmember McLewis commented as follows: Just to really clarify that this is not the new interim fire chief who we were talking about, going around the process. Very happy to have you here. I just want to make sure that is clear to the public. I agree with comments that we have to follow protocols.

Councilmember Maurer commented as follows: I should've made the comment before I made the motion but I think this is an important opportunity for the fire department. And I'm just really glad to know that anybody can drive that. It doesn't require a special license. So that is really, I think that will help improve our response times. I think it is a great opportunity and I think, in the end, we will probably make some money from the insurance payouts and stuff. So I am totally in favor.

Vice Mayor Zollman commented as follows: I want to join in with the comment before, especially given the fact that we have a fiscal emergency declaration on file. Just a heads up to all department heads, every request needs to come in a timely manner with the associated material attached. So thank you.

Restated Motion:

Councilmember Maurer moved and Councilmember Hinton seconded the motion to approve the Resolution of the City of Sebastopol City Council approving adjustments to the budget of Fiscal Year 202321024 for a purchase of a 2020 F550 Fire Rescue Vehicle.

Mayor Rich called for a roll call vote. City staff conducted a roll call vote.

**VOTE:**

Ayes: Councilmembers Hinton, Maurer, McLewis, Vice Mayor Zollman and Mayor Rich

Noes: None

Absent: None

Abstain: None

**City Council Action: Approved Resolution of the City of Sebastopol City Council approving adjustments to the budget of Fiscal Year 202321024 for a purchase of a 2020 F550 Fire Rescue Vehicle.**

**Minute Order Number: 2023-275**

**Resolution Number: 6568-2023**

12. Consideration of Request for Waiver of Fees for Use Permit Application for Peacetown Concert Series – Amount of Refund Requested \$2,921.44 /Fee Waiver requested by Jim Corbett (Responsible Department: Planning)

Planning Director Svanstrom presented the agenda item recommending the City Council Consider the Request for Waiver of Fees.

Mayor Rich opened for questions from Council.

Mr. Corbett commented as follows: I appreciate everything that Council in the City has done for Peacetown. I think it has been a really good thing for our town to have it when of course, we had it in Ives Park for years and Kari informed me that there is no charge from the planning department where we had private property. So when we move to the bottom three years ago. This year, as I said, we got that \$3100 bill that was kind of a shock to us because Kari said we had been charged before but I don't remember it being that much. So anyway, would like to, since we can, ask for a little bit of a waiver. I mean, peace town is, always pays, we pay musicians, we pay all of our people. So certainly the City should receive some money for that. But we would appreciate it if we could get a

little bit of a percentage of a cut back from that total amount. And that would be very helpful to our organization. So we want to kind of expand peace town and started doing some more, I wanted do some more eyes shows this year and stuff and also at the same time, we have been known for music but we want to bring some fine art in this year and stuff, too. I think it's a good thing too for the culture of our town to have. We are really well known as a place for music and art so that is a really clean industry, that is really good for us. Something you can do for us, peace town will appreciate it.

Mayor Rich commented as follows: I had a question for Director Svanstrom, which is that when you look at the history of our permit waivers, have we done permit waivers for peace town? Is there any background information that you can share with us about permit waivers that we have done for others?

Director Svanstrom commented as follows: Peace town group had been at Ives Park previously, which is the special event permit process to the public works department. I don't know if there were waivers at that time as that's under another department. I don't know if City admin would know anything about that, if there has been previously waived.

Mayor Rich commented as follows: Historically is there a pattern of waiving fees for other nonprofits?

Director Svanstrom commented that is correct.

Councilmember Hinton commented as follows: Discussed Apple Blossom, as they are a nonprofit. Questioned if this is the first waiver that we have faced since we put a halt on fee waivers because of our fiscal crisis?

Director Svanstrom stated that is correct. This is one where the request came from Jim Corbett prior to the change in policy. But I don't know if this is officially a policy but from my perspective, as a planning director, where I am both the community development director and regulator, and as discussed with City Manager, the policy is that fee waiver requests should not come to the Council until a decision by the decision-making bodies has been finalized (the Council is the final appeal body for applications). And in this case, there were some follow-up items that the Planning Commission had regarding some of the parking concerns and things like that. So we didn't know the final cost until after the event completion.

Mayor Rich commented as follows: I'm going to ask you a very direct question here [Jim]. So you're coming to a City with a request for a courtesy reduction in fees at a time when we are facing a fiscal crisis. So I have to ask, what is your argument for need that would require the most compelling argument would be that you would suffer losses, what will this do to peace town concerts this year or next year not having this fee waiver approved? Will it do anything? Will you still be profitable? Give us a sense of it.

Mr. Corbett commented as follows: The fees are a pretty big hit. We are pretty close to margins in terms of our cost. I did an analysis. We have five stages going and so it costs us about \$6000 every week to put it on . We have generous sponsors and stuff and the Barlow kicks in \$2000 a week that we get some from the beer and wine sales. So we just make it over the edge. It's a considerable hit. You know, my hope is to be able to continue it but it seems to be getting harder and harder, sponsorships are more difficult every year, too so you know, I have a great love for the peacetown thing and it feels really good, it has been successful for our town. So I would do my best to keep that going. But it would feel good if we could get a little bit of a reduction.

Councilmember McLewis commented as follows: I am just wondering if anyone from the City can give us a sense for how many, ballpark dollar amount of fees that we have been waiving per year? I really don't know or have any sense for that.

Director Svansson commented as follows: We do have nonprofits come through and I do know that the City Council had waived the RV village fees. That was a similar amount of, about \$3000 and the temporary use permit for the micro shelters for the Community Church on the north side of town that I believe was about \$1500 or so, if I can recall. Those are the recent ones for Planning Department permits.

Mayor Rich opened for public comment.

Kyle commented as follows: I want to remind the Council that the decisions to halt fee waivers, the decisions to/the community grants, all of this was on the premise of a budget that did not take into consideration \$1.5 million, for some reason, was not disclosed to the budget committee as part of the process for the budgeting of 2023 - 2024. So I would like Council to reflect on having previous knowledge of that \$1.5 million, would you have done things like/community grants that had gone to the things like peacetown in the past, had gone to being able to allow for fee waivers for things like apple blossom parade, or the apple festival. Once you have, in your mind, considering the \$1.5 million that for some reason was not disclosed to you as part of the budget process, would you be making a decision in favor tonight.

Linda commented as follows: I would like to thank Jim for what he does. A great asset to our community and stuff like that. So I hope he continues in good health and continues doing what he does. But also like to mention the electromagnetic in town because all the magnetic fields microwaves bounce off those metal buildings, metal buildings and fry people by contributing to cancer. But pick up on what Kyle was saying, so in addition to the \$1.5 million that he was mentioning, we are in the situation, financial situation because again, the Mayor, the former Mayor, unaware and the rest of them, unaware of what they did when they owe \$5 million, almost two years ago exactly, when they voted on something that they didn't know what the heck they were voting on and included a \$2.2 million of wire meters. Which, again, exposes us to more wireless radiation causing more ill health, but also causing a what turns out to be 5 and ½ million dollar deficit paid over 15 years. The point is they keep voting on things they do not know which is probably another example of they don't know what they are doing. You know, they are voting on the vote to pass and then the consequences they may or may not ever become evident but that is why my opinion in this fiscal situation that we are.

City Council Discussion, Direction, Deliberations or Further Requests:

City staff commented as follows: Last year we did do the sponsorship for the library for \$245 for parking fee waiver and the City waived those fees; the coalition June summit was \$1000 for that project, \$400 for the easter egg hunt, and in the kitchen permits was approximately \$4900 for the senior center which were all approved for waivers.

Councilmember Hinton commented as follows: I am in favor of waiving 50% of the fee tonight for peacetown. I think that peacetown, the history is that they moved to Barlow due to covid and needing distancing and that is how we got it over at the Barlow. They hold many, many more concerts. It is an economic driver for our City. I can't say how many people are having dinner afterwards, after attending a peacetown concert. I think by waiving a fee we would get much more back. And it really is a marketing arm. Many other cities, like Windsor, the City sponsors their music on the lawn and Healdsburg. But in our case we are such a small City; we have Mr. Music and I appreciate that and as we didn't fund community grants this year, which a lot of times we have funded and waived the fee, I think this is really appropriate and I appreciate the ask.

Councilmember Maurer commented as follows: I would like to fund 100% of the request. To me, the benefit of what peacetown brings to what Mr. Music does for our town, with these events, these are not events that you pay to go to. These are events that you can just go and enjoy for free. I think it adds so much quality to our

community, creating thriving music, I think it is really special to Sebastopol and I agree it is an economic driver. I think last year Peacetown received \$14,000 in the community grant. And so the idea of waiving a \$3000 fee seems pretty small. We were always, I remember when we did the budget, we were going to come back to the grants to look at them. So to me, I think this is a small gesture of appreciation it doesn't even go far enough but it is a gesture of appreciation for everything that Peacetown is doing for our City, which is a lot. And they are going to be probably having concerts both in the Barlow and then also at Ives. So I feel strongly that we should give them 100% of what is being charged.

Councilmember McLewis commented as follows: I would like to say that I, too, think that, given our situation that we are in with our finances and the declaration that was made just recently for our financial issues, I think I would be in favor of doing the 50%, as well that Councilmember Hinton has suggested. I think right now we all need to share in the challenge that we face with this. I also believe it is a huge economic driver and typically I would say we need to support it 100% but just given the challenges that we have. I know it is a small amount but at the end of the day, I think all of us, in general, just need to share the burden right now. So I would support the 50% that was proposed.

Vice Mayor Zollman commented as follows: I do appreciate the amount that it contributes to the community, but as Councilmember Hinton and also McLewis have indicated, life has changed and budget cuts impacted a lot of the nonprofits in this town so if we go down one, it is going to be a slippery slope before we have other reconsiderations and I just can't see it, especially being on the budget committee. I am happy to go 50% but no more.

Mayor Rich commented as follows: Love this event. I want to try to support it. Honestly, the only reason I think we need to support this request to any degree is that if this event bridged that period of time before we imposed that moratorium I would say no. But it didn't bridge it, the event started before we set the moratorium and this event went forward based on the assumption that we would do what we had done in the past. So that it changes it for me. It does not, given our fiscal emergency, persuade me that we should be funding at 100%. But I would go for 50% support of a waiver in assistance. So that would be my position.

Councilmember McLewis commented as follows: I appreciate what you just said it because I do think it can be a slippery slope and I do have concern about opening up the gates and then having more people asking for reconsiderations. I think that is a very valid, fair point that this was prior. But I don't want this to be seen as the openings for everyone to seek reconsiderations that is just something I wanted to put out there, as far as what I am.

**MOTION:**

Councilmember Hinton moved and Vice Mayor Zollman seconded the motion to approve Waiver of Fees for Use Permit Application for Peacetown Concert Series for 50% of request = \$1460.72

Discussion:

Mayor Rich commented as follows: Just for simplicity, is it okay, with those who moved it and seconded, be agreeable to just calling this a \$1500 waiver? Instead of this weird number? I think 50% makes a clean.

Councilmember Hinton commented she would support 50% but would prefer 100% of waiver.

Councilmember Maurer commented she would support 100% waiver.

Mayor Rich called for a roll call vote. City staff conducted a roll call vote.

**VOTE:**

Ayes: Councilmembers Hinton, Maurer, McLewis, Vice Mayor Zollman and Mayor Rich

Noes: None

Absent: None

Abstain: None

**City Council Action: Approved Waiver of Fees for Use Permit Application for Peacetown Concert Series for 50% of request = \$1460.72**

**Minute Order Number: 2023-276**

13. Consideration of Amendment to City Council Appointments: Request for Creation of a City Council Ad Hoc Committee - Titled: Enhanced Infrastructure Financing District. An Enhanced Infrastructure Financing District (EIFD) allows for a separate government entity to be created by a City or County within a defined area to finance infrastructure projects with community-wide benefits. EIFDs are financed through tax increment generated from the growth in property taxes collected from within the designated district boundary. The item is to request creation of a Council Ad Hoc Committee to work with the County in collaboration for strategies of financing public capital facilities and projects of communitywide significance; and if approved, make appointments) to this Ad Hoc Committee. (Requestor: Vice Mayor Rich/Vice Mayor Zollman)

Mayor Rich presented the agenda item recommending the City Council Consider the Request for Amendment to City Council Appointments: Request for Creation of a City Council Ad Hoc Committee - Titled: Enhanced Infrastructure Financing District. An Enhanced Infrastructure Financing District (EIFD) allows for a separate government entity to be created by a City or County within a defined area to finance infrastructure projects with community-wide benefits. EIFDs are financed through tax increment generated from the growth in property taxes collected from within the designated district boundary. The item is to request creation of a Council Ad Hoc Committee to work with the County in collaboration for strategies of financing public capital facilities and projects of communitywide significance; and if approved, make appointments) to this Ad Hoc Committee.

Mayor Rich opened for questions from the Council.

Councilmember Hinton commented as follows: Besides the library, as a possibility, what would be the other suggestions? We have talked about infrastructure, are we talking about roads? People driving through. Are we talking about traffic signals? So that is question one, and question two is, let's use the library as an example. I believe there is only one other library in the fifth district and that is in Guerneville, possibly there is something in Forestville. If it were the library, would it be an advantage to us to expand beyond the borders of Sebastopol to try to get a project done. So what other buildings and what is the advantage depending on the project?

Mayor Rich commented as follows: I will go ahead and answer the what is the range of infrastructure work? Traditional public works, roads, highways, bridges, parking facilities, transit stations, sewage and water facilities, solid waste disposal, parks, childcare facilities, flood control, drainage projects. Expansion improvement, seismic retrofitting, it is a really, really broad nuclei that could be a possibility. In terms of the boundaries. There is definitely a benefit to going outside the City of Sebastopol because you engage the West County property tax pieces and also can argue that there are benefits to us can see that these are the kinds of questions that the ad hoc would inquire into and our hope is that the ad hoc would bring back a couple of different boundary options.

Councilmember McLewis commented as follows: I have the same question. The libraries come up a lot and I would like to understand, or at least have that discussion more about what else could this money be used for? I know Vice Mayor Zollman's affinity for the library so I want to know that is not the only reason why this is coming up. But also

I wanted to ask a question, just about the need for an ad hoc I'm wondering, given the abundance of committees that we have, is it necessarily important for us to have an ad hoc committee? Or is it possible to just have a Council liaison who is working with our City Manager to deal with this? It is just a question I am posing. I am wondering why you feel it is important to have an ad hoc committee versus just having a liaison in the City staff such as the City Manager specifically involved with this?

Mayor Rich commented as follows: I think I'll answer the two questions with one. Vice Mayor Zollman is very committed to the library idea. One of the reasons that he and I would be a good pair for this ad hoc committee is that my vision is not just the library. I am more interested in the broader opportunities. That would be the reason for having an ad hoc. The answer to the question, whether it is well, are we really just looking at the library? The answer to that question is no. I don't think that there is any narrow view for just library. I see Vice Mayor Zollman nodding his head. It's just that is where they have been doing inquiry. But that isn't necessarily where it is going to land. And the way the ad hoc is set up, the ad hoc would bring potential projects to the City Council and the full City Council has to decide what is going to move forward, if anything. And then honestly, what happens in the structure, as I understand, there is a committee, that involves Supervisors, who then start to sort out the particular projects. But that also is the answer to having, why do we want to have two Councilmembers? Because I think, on this project, personally I think that you need two perspectives. You need two people that have, with our group of five, admittedly different views on it. That would be my argument. And that is how we do the deep dives. Assuming you have two that are willing to do it.

Councilmember McLewis commented as follows: Should we decide to move forward with an ad hoc, then the ad hoc would be making the decisions of what projects to bring forth. Is that what you are saying?

Mayor Rich commented as follows: No, what I'm saying is the ad hoc would investigate what potential infrastructure projects might be considered and then the ad hoc would report out to the City Council so that the City Council could make a decision about which infrastructure projects within what boundaries were of particular interest. The way I confused you is because, by saying that after the part of the process, after, if in fact the City Council decides to form an EIFD the coordination and support from Supervisor Hopkins, the boundary is set, the next step after all that, after City Council support for the next step is a committee is formed, a steering committee is formed that includes representatives from the various districts that will be contributing to the EIFD.

Councilmember McLewis commented as follows: Wouldn't it be challenging for us to utilize this money for our own infrastructures, if it is beyond our boundaries and we have other areas? We would be coming together to fix something that is community-based for everybody and not necessarily solving any of our infrastructure issues?

Mayor Rich commented as follows: Excellent question. And that is one of the questions that the ad hoc needs to look into and that ultimately, my answer, would be, that would be a decision where the full City Council look at the report and go, well, we don't want to do a boundary that includes West County. A portion of unincorporated West County, because then our obligations to a broader group or the other option might be, well, we want to go ahead and do an expanded boundary because there is more potential income and we think we can manage the competing interests and infrastructure projects. But that is what the ad hoc would need to come back to bring back to the full City Council. Those sorts of questions that you were thinking about already that have been bumping around our minds, too.

Vice Mayor Zollman commented as follows: I want to reassure people, while I am a big library advocate, the clear message and even for me, too, we do have more priorities than just that infrastructure being one of them. So that is the reason why I was intrigued by. It is definitely not about the library. The library was just one piece of the

geographic area we all decide. And it may not turn out to be anything. But it is definitely going to come before a full City Council.

Mayor Rich commented as follows: We would want the ad hoc to escalate the reporting out and that should be in early January, honestly, because we would have the Board of Supervisor meeting in late January. So that would be my suggestion. The report come back to the City Council as early in January as possible.

Councilmember McLewis commented as follows: It's just when you talk about the timing, do you anticipate this ad hoc going beyond the January time? I'm just trying to wrap my head around it all.

Mayor Rich commented as follows: I think that would be up to the City Council. I would expect that this is going to be a short-term ad hoc. I think you have a lot of action going on at the Board of Supervisors level but my suggestion would be that this City Council, if this ad hoc is formed, require report out in January, sets the time existence of the ad hoc as no more than a year, and require formal report out every two months so the City Council can then make a decision when that formal report comes out to okay, we are done, now there is no need for you guys to continue. But no more than a year would be my proposal I don't think it would last as long as that.

Councilmember Hinton commented as follows: Maybe you don't know the answers to these but assuming the ad hoc would bring back multiple projects for us, I mentioned Ives Park earlier, we have a shelf project that is shovel ready on there. Could we, and do you know the answer to this, submit multiple projects to the Board of Supervisors because I'm curious if they are setting it up, do they have final say on a project? And we might love a project but if they are the ones doing the final voting, they may say well, I will just say our Supervisor might like the park or she might like that we proposed the project like the library that expands beyond our borders and takes over more of our district, right? So those are questions and again, I would be in favor of an ad hoc committee because I am assuming these aren't answered yet but if we are going to create some, I want to make sure we create the most successful projects because we obviously have tons of need. But do you know the answers to that at this point or no?

Mayor Rich commented as follows: I will tell you that in terms of EIFD, there is a steering committee that has to be set up with the Board of Supervisors who controls the policy about how much of their property tax will be allocated to and EIFD, so they control that piece of it. The City of Sebastopol controls what will be contributed to the EIFD and the project, from what I understand, from what I have observed at the Santa Rosa EIFD are determined and a steering committee context that includes both Supervisors and, in their case, City Councilmembers and some community and business members. I think it is a whole combination of people but I think that is an excellent question and that is what he would need to come back to the City Council so that everyone can understand the timeline and the cost and all that.

Vice Mayor Zollman commented as follows: Answered appropriately because the answer is no but it is a slight working with the County and doing what the Mayor had said to actually produce the answers to the questions.

Councilmember McLewis commented as follows: I was curious of the County, that they would control their side of the policy and what would go in to this. And then you said, the City would also control what would go into this, are you saying that any of our monies that we already receive would be pulled into that? I am trying to understand arbor shifting monies away from one thing to going to this and is it clear the City could elect to direct property taxes or other revenue to the EIFD but there is the requirement that the EIFD have money contributed to it.

Mayor Rich commented as follows: There is no match, there is no requirement. Now what the Board of Supervisors will do is unclear they may actually do that. I don't know. That would be part of the inquiry they might say we are



only going to contribute some percentage of what the City contributes. There's also a library district. There is an opportunity for some money in the library district, just saying. I could see the Board of Supervisors, will know more when they get together on January 30th and I have to say, Lynda Hopkins has made a commitment to participate in, with the ad hoc to make information available. She already delivered on those promises. A lot of questions need to be answered.

Councilmember Hinton commented as follows: So if we were to say, we are going to dedicate so much of our taxes to this and somebody else came with a project, right outside the boundaries but would include the sphere of influence, that money may be, could that money be taken from us and applied to another project to see what I mean? I wouldn't want to lose money.

Mayor Rich commented as follows: Which is why we've got to figure out what the parameters are and bring the information back so that the full City Council can figure it out.

Councilmember McLewis commented as follows: That sparked another question for me, just do you have any idea of what type of projects you said Santa Rosa is doing this right now? What type of projects have they been able to tackle with this? Do you have any sense for what those parameters were for them?

Mayor Rich commented as follows: They are just in the beginning of their process. So they have identified the boundaries, it is a downtown core district and when I last looked into it they were looking at I think affordable housing project. But the steering committee that includes a couple of Santa Rosa City Council people and a couple of the board of Supervisors members, I don't think they have come up with a decision on the infrastructure project yet. Nor has the County made a commitment in terms of the portion of their property taxes they are willing to contribute to that EIFD.

Councilmember McLewis commented as follows: If we go down this path, we can certainly retreat if the Council decides this doesn't work for us correct.

Mayor Rich commented as follows: Yes. The idea is the ad hoc to gather up the information report back to the City Council so the City Council has all the information so that then all these questions can be answered and there can be a decision. And, it may be that the Council just wants to stick with the City boundary and it doesn't look like there is really sufficient incremental tax return to justify the expense associated with pulling it together. So no, there is no, this commitment to fund but for the ad hoc to bring information back.

Vice Mayor Zollman commented as follows: Just to reiterate, I'm glad that may have brought that up as for the library district because our Supervisor has called a meeting with the library administrator and myself for the 14th and I'm hoping that she is going to be able to share and update of where things are at from her perspective of trying to do this on a Countywide basis. So yes, there are other funding possibilities to contribute to this, besides the County. I think the other thing that is important to note is that with the Santa Rosa being formed and a policy formulated by the Board of Supervisors, all of the districts in Sonoma County would want their projects for their population and it would be a County decision to allocate. So that is why you see Supervisor Hopkins wanting to make sure that her district gets the benefit and that we move forward.

Councilmember Maurer commented as follows: My understanding is that the money could come from the extra increases in property tax that the City or the County gets. So if the City doesn't participate in getting any money and the County doesn't participate, I am just confused as to where the money for this is going to come from and how much is it going to cost, in addition how much it will cost to run another entity because this will be another

government entity that will be running, will need support and I am just wondering if you have any idea of what its cost, for example, Santa Rosa, to create this government entity.

Mayor Rich commented as follows: We do not know. Again, that is the reason for the ad hoc to make those inquiries. I have been in touch with Tracy Lyons. Lynda Hopkins, chief of staff and they are gathering some information. The other piece is that to the extent that there is a district that expands and includes a portion of unincorporated West Sonoma County, there would be an incentive for the County to participate to offer up at their resources, their consultant in order to ensure that EIFD was set up directly. All those questions need to be answered before any of us can make a final decision.

Councilmember McLewis commented as follows: I am just a little surprised that we don't have any sense for what Supervisor Hopkins is willing to do. We're putting, it sounds like a lot of work into this from City staff and from you all and I just am a little surprised that we wouldn't have any sense for what she would like to commit to now because we could really go down this path and then find that it is just a dead end you have no idea what she is willing? You are saying that would have to decide how much it all of these different things and it just seems like I'm just surprised that they wouldn't have a sense already for what they would, what they have in their coffers and what they are willing to commit.

Mayor Rich commented as follows: The answer to that is that they are just in the process. They haven't determined that. There are a couple of Supervisors who are working as an ad hoc committee, they still haven't even presented to the board of Supervisors that is what they are doing in January. There is no policy up they haven't come to terms with how much they are willing to contribute from County taxes, property taxes, and the reason that it actually has come to the fore because Santa Rosa is so far along in their process, I wish I knew but I do think that the ad hoc will be able to figure that out pretty quickly. Because her office is very motivated.

Mayor Rich opened for public comment.

Kyle commented as follows: There's two key pieces to this that I really appreciate is that if we are going to be forming a new ad hoc, that there are very strict and very clear reporting requirements that were stated as part of this tonight. I am going to have to weave my public comment in here because we are after 10:30. Regularly this Council has failed to produce adequate reporting out from department heads from subcommittees as a result of going past 10:30 pm. Repeatedly, I have called for written reports to be produced and entered into the record so that we do have regularly provided information about things such as a fire ad hoc committee report out. Discussed no public outreach for those meetings. I am hoping for someone to do a freedom of information act for all the reporting of that ad hoc committee. Also the Bodega Avenue project. On December 1st, there were still workers out on the street and no update. Will we get one today. There will be no sort of outreach as to indicating when that will be because there is no actual physical reporting out. I'd like to see that change. I would like to see this as a positive direction, concrete recording out.

Linda commented as follows: The right tool to use in order to get information is public record act. It is just so simple and it is free a little short form but anyway can you get all the information you want. Looking at this and bells are going off. It is making me think, Diane, that you're just going to lead us into a deeper dive. I have in my hands the other \$5 million debt which you apparently are unaware of and on it, as of now, two years after the fact still \$4.9M plus and some of that was supposed to go to the library in the form of heating and ventilation, ac unit replacements literally \$1 million and who knows if that ever happened, because there is no oversight. The same way with the water meters, \$2.2+ million dollars for that wireless water meter, which don't work well and so on and so forth. And I know that a lot of those never got replaced. I can walk to the street and I see that they

never got replaced all of them. So anyway, I have a vote of no-confidence that I suggested if you want to find out what the public wants to do, public survey instead of the stupid ad hoc things that don't work.

City Council Discussion, Direction, Deliberations or Further Requests:

Councilmember Maurer commented as follows: I have some different thoughts. My first thought, when I read this agenda item was that why are you taking it out of the budget committee purview, because this was already on a list of items that we were going to be discussing in the budget committee. So, I don't understand why is it being removed and not only taken out of the budget committee but starting a whole another ad hoc and we have plenty of ad hoc committees, already. My priority is the Sebastopol general fund and protecting the general fund. So we rely on those increases in property taxes to raise money for our general fund and we need that money. So, the thing is, the budget committee is recorded. There is a level of transparency in there and I think that transparent the is really important when it comes to an issue where you are going to be taking, potentially, a piece of a property tax, whether it be from the City or from outside the City, and applying it to something in Sebastopol, for example. What would the west County residents be willing to support? They are certainly not going to support our roads; they don't live here. Are they going to support our water and wastewater? No, and these are things that we need. So, the general fund, we need money for the general fund, we need money for roads, we need water and wastewater infrastructure. But primarily, the fire department, we need money for the general fund. So, I don't see how the way this is laid out is, at this point, anyway, I don't see how it is really going to be bolstering our general fund. So, we can do this in the budget committee and we would have a level of transparency that you will not have as an ad hoc committee. I understand you can get a lot done in an ad hoc committee, but it is not transparent. And when you have an issue, like creating an EIFD where you are skirting the ballot measure, you are skirting the voters being able to have a say about where that money goes, it seems really important to have the transparency aspect. So I appreciate that you want to do a deep dive on this particular item. It's also possible we could, instead of creating an ad hoc committee we could simply direct Supervisor Hopkins to meet with the staff and discuss this with the staff and have them bring it back to us or have them bring it back to the budget committee. So, they can have a meeting and bring it back to the budget committee where it is. I said earlier. It is on the list of things that we were going to be discussing. I have concerns about creating another government entity that could also cost quite a lot of money.

Mayor Rich commented as follows: I'm trying to be cognizant of time and others but thank you for sharing your comments.

Councilmember Hinton commented as follows: I am in favor of the ad hoc committee. I understand that you brought it forth now is in the reason why was because we have to move quickly because the Board of Supervisors are going to be moving on it. I think just by creating two members of the budget committee, that doesn't mean that those are the only two members that can work on budgeting items. This makes sense to me. This is not about not being transparent, but it is going in and figuring out what to bring back to the full Council in a fully transparent way so all five of us can vote and wait in. I understand Supervisor Hopkins, her office had mentioned this to me separately from this agenda item, as well, when it was just being, I think it was just like a blip on the radar that Santa Rosa was going to do this. I think whatever conversations you guys got into, whether it is her protecting her district, because they all want to help their own districts and if Santa Rosa is going to take money, then she certainly wants somebody in the West County to come up with project so I don't know for a fact that it would come out of our general fund but it does appear that we might be able to get to some of the counties money to do our project that is the case. I am in favor of it and I am in favor of using the ad hoc to move to get some answers that they can bring back to the full Council so that we can then decide, as a full Council. Just because I don't sit on the budget committee right now does not mean that we don't all have the power. So, I think an independent ad hoc committee, if we got two members that are willing to work on this, can move quickly.

Councilmember McLewis commented as follows: I share Councilmember Maurer's concerns as far as I was a little confused as to why it was pulled away from the budget committee. Given the fact that we tasked them with doing this already and I do also have concerns, right or wrong, about possible Brown Act issues when you're talking about all these different budget issues. I also am very cautious when we are working with the County because based on my experience from the lack of transparency has been an issue in the past and I think when we are talking about all of our property dollars, the more transparency we can have is better. I understand that we need to be expedient but we have an abundance of ad hoc committees and I find that sometimes trying to coordinate all those folks who are on an ad hoc committee actually bogs the process down, whereas if we just had a liaison and working with the City staff and is more of a direct communication that way with the County, I personally think that it would actually go far. So, I am not convinced that an ad hoc would make this faster. The biggest thing for me is transparency. And I like the idea that the discussions would be recorded, and that the public would be able to be more aware of what was going on. Those are my thoughts at this point. I think we have an overabundance of committees at this point. I am not really in support of this right now, as far as an ad hoc but more of a liaison and the City staff.

Mayor Rich requested clarification on the Brown Act from City Manager/Attorney McLaughlin and questioned do you see a brown act problem with the overlap with Stephen Zollman being on the budget committee and also being on the ad hoc committee looking into the EIFD.

City Manager/Attorney McLaughlin commented as follows: I am constantly monitoring and being aware of Brown act issues, and we frequently come into areas where to stay away from that could lead to a Brown act issue where that would require Councilmembers working through some manner outside the public eye towards a potential Council action. So certainly, assured Vice Mayor Zollman is aware of the situations and staff will work with both committees to make sure that they stay in their own territory and they are not overlapping subject matter where more than two Councilmembers are involved in moving towards a Council decision has to be made.

Vice Mayor Zollman commented as follows: The fact that information needs to be sought and also questions and concerns about how much this is all going to contribute need to be asked, I think I made myself pretty clear in the fact that I want money into the general fund. I want money into reserves quicker rather than later. And if somebody who actually does have the capacity to help us, it may not be money, but it may be consultants, it may be sharing of temporary costs and for us to accumulate the money that we need to get a bond to get infrastructure needs met, I know all about it because I am just not down for saying no to something without at least exploring it. That is my viewpoint.

Councilmember Maurer commented as follows: The difference between the way the budget committee is recorded, that is transparent. Anybody can go on to that, can watch that, it is recorded, you can hear the conversations, when you have an ad hoc committee, that is not being recorded, there will be a lack of transparency there and that is a concern when you are talking about residence and property taxes, especially when they're not getting a vote on where that money will go.

Councilmember Hinton commented as follows: When I said transparent, I say transparent because even though it is not recorded, the legwork will all come back to the full Council and this is recorded. So, I just think that they are doing the research and getting details understanding that those meetings aren't recorded, I fully understand that. What I don't think any actions will be taken in those ad hoc committees regarding anybody's property taxes that the public wouldn't be a part of. I just do feel strongly that even though there is a budget subcommittee, we are all involved in the City's budget. And so, we can serve on other committees. This is just one example. But this year, just because I'm not on the budget subcommittee I may want to serve on something that includes the financial well-being of our City. So, I just want to clarify my comments.

Mayor Rich commented as follows: So just one of the reasons that we put this together as an ad hoc that is required to make formal reports to the City Council and to address specific questions to be brought back to the City Council was in order to do our best to make sure that all the information was delivered to the City Council . There is no intent for this ad hoc committee to make decisions. The ad hoc committee is to collect information and provide it to the City Council so the City Council can then consider everything and to provide it in a written report that is attached to a City Council meeting. So I understand Councilmember Maurer's concerns. That is certainly not having every meeting recorded. I get that. But having experienced ad hoc committee in their best form with the City Council and understanding the limitations that we have on staff, I think this is our best, our best option in moving forward.

**MOTION:**

Councilmember Hinton moved and Vice Mayor Zollman seconded the motion to approve Creation of a City Council Ad Hoc Committee - Titled: Enhanced Infrastructure Financing District; and appointing Mayor Rich and Vice Mayor Zollman to the committee; adopting the tasks as outlined in the staff report and reporting out standards as listed as well.

Mayor Rich called for a roll call vote. City staff conducted a roll call vote.

**VOTE:**

Ayes: Councilmember Hinton, Vice Mayor Zollman and Mayor Rich

Noes: Councilmembers Maurer and McLewis

Absent: None

Abstain: None

**City Council Action:** Approved Creation of a City Council Ad Hoc Committee - Titled: Enhanced Infrastructure Financing District; and appointing Mayor Rich and Vice Mayor Zollman to the committee; adopting the tasks as outlined in the staff report and reporting out standards as listed as well.

**Minute Order Number:** 2023-277

Due to Council protocols, the meeting was adjourned at 11:10 pm and the remainder of the agenda was postponed.

**ADDITIONAL PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA:** Three minutes per speaker for up to twenty (20) minutes total for public comments but can be reduced at Mayor's discretion depending upon the number of speakers or Mayor has discretion to allow for additional time beyond the 20 minutes allocated for public comment dependent upon the subject matter or number of speakers.

**CITY COUNCIL/CITY STAFF REPORTS/COMMUNICATIONS/ANNOUNCEMENTS/FUTURE MEETINGS:**

14. City Manager-Attorney/City Clerk Reports: (This will be either verbal or written reports provided at or prior to the meeting).
15. City Council Reports/Committee/Sub-Committee Meeting Reports: (Reports by Mayor/City Councilmembers Regarding Various Agency Meetings/Committee Meetings/Sub-Committee Meeting /Conferences Attended and Possible Direction to its Representatives (If Needed) on Pending issues before such Boards. (This will be either verbal or written reports provided at the meeting)
16. Council Communications Received (Information/Meetings/Correspondence Received from the General Public to Councilmembers)
17. Future City Meeting Dates/Events (Informational Only): (See City Web Site for Up-to-Date Meeting Dates/Times)

**CLOSED SESSION: NONE**

**ADJOURNMENT OF CITY COUNCIL MEETING**

December 5, 2023 Meeting will be adjourned to the City Council Meeting of December 19, 2023 at 6:00 pm.  
(In Person and Remote/Zoom Virtual Meeting Format)

Mayor Rich adjourned the regular City Council meeting of December 5, 2023, at 11:10 pm.

Respectfully Submitted:

Mary Gourley  
Assistant City Manager/City Clerk